



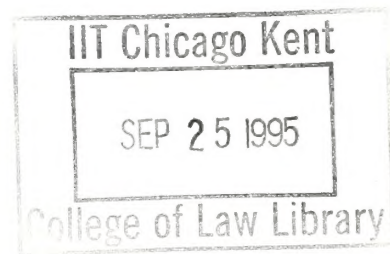
1995

Illinois Register

Rules of Governmental Agencies

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Secretary of State

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April 14, 1995 - Issue 15: Through	March 31, 1995
July 14, 1995 - Issue 28: Through	June 30, 1995
October 13, 1995 - Issue 41: Through	September 30, 1995
January 12, 1996 - Issue 2: Through	December 31, 1995 (Annual)

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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Weights and Measures Act

2) Code Citation: 8 Ill. Adm. Code 600

3) Section Numbers: Proposed Action:
600.310 Amendment

4) Statutory Authority: Section 8 of the Weights and Measures Act [225 ILCS 470/8]

5) A Complete Description of the Subjects and Issues Involved: A reclassification of fees occurred in 1988 which resulted in some minor fee increases. However, fees for the inspection and testing of weighing and measuring devices used in trade and commerce have not significantly increased since 1980. In order to recover more of the cost of device inspections to support this program, the Department is proposing regulations to increase fees.

6) Will this proposed rule replace an emergency rule in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: A few municipalities own and operate scales used for the enforcement of highway weight laws. These municipalities will pay an additional \$50 per scale test.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the notice of rulemaking appears in the Illinois Register. In addition to the written comment period, a public hearing on the proposed amendments will be held on Wednesday, November 1, 1995 at 10:00 a.m., Department of Agriculture Building, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing and mail to the attention of:

Debbie Wakefield
Department of Agriculture
State Fairgrounds
P.O. Box 19281,
Springfield, IL 62794-9281

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 27, 1995. All comments received will be fully considered by the agency.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Grain elevators, grocery stores, hardware stores, gasoline stations, or any business that has scales, pumps, or meters used in trade or commerce.
- B) Reporting, bookkeeping or other procedures required for compliance: Inspection and testing fees are being increased.
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER p: WEIGHTS AND MEASURES

PART 600

WEIGHTS AND MEASURES ACT

SUBPART A: PACKAGING AND LABELING

Section	
600.1	National Institute of Standards and Technology Handbook 130
600.10	Definitions (Repealed)
600.20	Application (Repealed)
600.30	Identity (Repealed)
600.40	Declaration of Identity: Nonconsumer Package (Repealed)
600.50	Declaration of Responsibility: Consumer and Nonconsumer Packages (Repealed)
600.60	Declaration of Quantity: Consumer Packages (Repealed)
600.70	Declaration of Quantity: Nonconsumer Packages (Repealed)
600.80	Prominence and Placement: Consumer Packages (Repealed)
600.90	Prominence and Placement: Nonconsumer Package (Repealed)
600.100	Requirements: Specific Consumer Commodities, Packages, Containers (Repealed)
600.110	Exemptions (Repealed)
600.120	Variations to be Allowed (Repealed)
600.130	Standards of Fill (Repealed)
600.140	Wholesale and Retail Exemption
600.150	Revocation of Conflicting Regulations (Repealed)
600.160	Tables: Weights and Measures Standards for Illinois

SUBPART B: ROOFING AND ROOFING MATERIALS

Section	
600.250	Roofing and Roofing Materials Shall Be Sold Either by the "Square" or by the "Square Yard." (Repealed)

SUBPART C: WEIGHING AND MEASURING DEVICES:
METERS -- SCALES -- FEES

Section	
600.300	Vehicle Scales Regulation
600.310	Fees
600.320	Scales Used for the Enforcement of Highway Weight Laws

SUBPART D: MOISTURE METER TESTING

Section	
600.350	General (Repealed)

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

600.360	Testing and Inspection (Repealed)
600.370	Rejected Moisture Testing Devices (Repealed)
600.380	Use of Moisture Measuring Devices (Repealed)

SUBPART E: REGISTRATION OF SERVICE AGENCIES, SERVICEMEN,
AND SPECIAL SEALERS FOR COMMERCIAL
WEIGHING AND MEASURING DEVICES

Section	
600.450	Policy (Repealed)
600.460	Definitions (Repealed)
600.470	Certificate of Registration (Repealed)
600.480	Types of Certificates (Repealed)
600.490	Examinations (Repealed)
600.500	Exemptions (Repealed)
600.510	Registration Fee (Repealed)
600.520	Reports (Repealed)
600.530	Bonds (Repealed)
600.540	Standards and Testing Equipment (Repealed)
600.550	Revocation of Certificate of Registration (Repealed)
600.560	Publication of Lists (Repealed)

SUBPART F: LIQUID PETROLEUM MEASURING DEVICES

Section	
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600.660	Retail Liquid Petroleum Pumps Accurately Marked: Liters or Gallons
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600.680	Unit Price Per Gallon Displayed (Repealed)
600.690	Price of Gasoline
600.700	Unit Price Indicator: Set at One-Half Total Selling Price
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600.730	Conversion Kits or Replacement Pumps: Deadline (Repealed)
600.740	Three-Wheel Computers Prohibited
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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

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TABLE C	Illinois Standard Weights and Measures
TABLE D	Equivalents: Cubic Inches in U.S. Standard Capacity Measures
TABLE E	Weights of Coal Per Cubic Foot
TABLE F	Equivalents to be used by Seller in Transposing Weights
TABLE G	Measurement of Surfaces and Volumes

AUTHORITY: Implementing and authorized by Section 3 of the Weights and Measures Act [225 ILCS 470/8].

SOURCE: Rules and Regulations Relating to the Weights and Measures Act, filed December 17, 1969, effective January 1, 1970; amended November 5, 1971, effective November 15, 1971; amended August 26, 1975, effective September 1, 1975; amended March 22, 1976, effective April 1, 1976; amended at 3 Ill. Reg. 45, p. 72, effective October 29, 1979; amended at 3 Ill. Reg. 45, p. 81, effective January 1, 1980; codified at 5 Ill. Reg. 10562, effective October 1, 1981; amended at 12 Ill. Reg. 8306, effective May 3, 1988; amended at 12 Ill. Reg. 15524, effective September 20, 1988; emergency amendment at 18 Ill. Reg. 1426, effective March 7, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14692, effective September 13, 1994; amended at 19 Ill. Reg. 8114, effective June 7, 1995; amended at 19 Ill. Reg. _____, effective _____.

SUBPART C: WEIGHTING AND MEASURING DEVICES:
METERS -- SCALES -- FEES

Section 600.310 Fees

The Director of Agriculture and each city sealer of weights and measures shall collect and receive fees for the use of the State or city as the case may be at the following rates, which shall be due and payable at the time of such inspection. Per hour fee is charged for each hour or portion thereof.

- a) Scales (by capacity, except for animal ~~tested-for--weighting--single head~~, livestock, and railroad track, and belt conveyor scales)
- | | | | |
|---------------------|-----------------|---------|------|
| 1) 0 - 50000 pounds | January 1, 1996 | \$ 6.00 | 2-00 |
| | January 1, 1998 | 3.00 | |
| | January 1, 2000 | 10.00 | |
- 2) 51001 - 2000 pounds
- 3) 2001 - 40000 pounds and over
- | | | | |
|--------------------------|--|----------|---------|
| 4) 10001-pounds-and-over | | \$ 25.00 | 7-50 |
| | | \$100.00 | 25-00 |
| | | ----- | 5-50-00 |
| | | \$ 50.00 | 10-00 |
- b) Railroad Track Scales (per hour)
- c) Use of State Scale Trucks
- (Charges to the repairman for use of state scale trucks and weights per

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

hour only during working hours)
d) Belt Conveyor Scales (per hour)

51001-2000 pounds		\$100.00	50-00
2001-40000 pounds		\$50.00	
40001-pounds-and-over		\$100.00	50-00
		-----	5-10-00
		\$ 10.00	
e) Motor Fuel Dispensers			
1) Motor-Fuel-Pumps		-----	5-4-00
2) Blenders-Pumps		-----	5-7-00
3) Adjustments-Insp--(Additional)		-----	5-6-00
g) Motor Fuel Meters (includes vehicle tank and stationary meters)			
1) Meters to and including 2 3/4 in.		\$20-00	50.00
2) Meters greater than 2 3/4 in.		\$50-00	100.00
h) Calibration			
1) Calibrating-for-capacity-a-vehicle-tank-for-each-1000-gallons-or-fraction-thereof		-----	50-00
2) Calibrating-Commercial-Proving-Devices-per-hour-or-portion-thereof-minimum-charge		-----	55-00
h) LPG Meters (Liquefied Petroleum Gas-Liquid Measuring Devices)		\$50-00	
i) Grain Moisture Measuring Devices		\$15-00	50.00
j) Laboratory Fee (per hour plus shipping)		\$75.00	
1) Lab-Charge-525-00-per-hour-or-portion-thereof-minimum-charge		-----	525-00
2) Precision-work-per-hour		-----	540-00

(Source: Amended at 19 Ill. Reg. _____, effective _____.)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Community Services Block Grant Program

2) Code Citation: 47 Ill. Adm. Code 120

3) Section Numbers: Proposed Action:

120.10	Amendment
120.40	Amendment
120.50	Amendment
120.60	Amendment
120.80	Amendment
120.110	Amendment
120.115	Amendment
120.130	Amendment

4) Statutory Authority: Implementing the Illinois Economic Opportunity Act [10 ILCS 625] and authorized by Section 46.42 of the Civil Administrative Code of Illinois (20 ILCS 605/46.42)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking will revise the Department's rules to incorporate changes made in the federal Community Services Block Grant Act in 1994. A new provision will be added to allow Community Action Agencies to operate a Micro-Loan Program.

6) Will these proposed amendments replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (30 ILCS 805/3(b)).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Ms. Brenda Lee Yager, Deputy Director
Bureau of Community Development
Department of Commerce and Community Affairs
620 East Adams Street, 5th Floor
Springfield, Illinois 62701
Telephone Number: (217) 785-6174

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

T.D.D. Number: (217) 785-6055

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses and small municipalities affected:

There will be no effect on small municipalities. Types of small businesses affected may include not-for-profit community action agencies, sole proprietorships, subchapter "S" corporations, and general corporations.

B) Reporting, bookkeeping or other procedures required for compliance:

This specific rulemaking does not add any new reporting or recording requirements for CSBG recipients. The grantees continue to be required to submit quarterly program reports and financial reports for requesting cash, and bookkeeping is required in accordance with generally accepted accounting practices.

C) Types of Professional skills necessary for compliance:

Grantees would already possess the necessary skills for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT

CHAPTER 1: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 120

STATE ADMINISTRATION OF THE FEDERAL COMMUNITY SERVICES
BLOCK GRANT PROGRAM

Section	
120.10	Legislative Base
120.20	Purpose and Scope
120.30	Definitions
120.40	Allocation
120.50	Grant Application Requirements
120.55	Grantee Termination
120.60	Grantee Selection
120.70	Required Board Structure
120.80	Administrative Requirements
120.90	Nondiscrimination
120.100	Complaint Process
120.110	Program Types-Description
120.115	CSBG Loan Programs
120.120	Eligibility Requirements
120.130	Limitations On Use of CSBG Funds
120.140	Incorporation by Reference

AUTHORITY: Implementing the Illinois Economic Opportunity Act [20 ILCS 625] and authorized by Section 46.42 of the Civil Administrative Code of Illinois [20 ILCS 605/46.42].

SOURCE: Adopted and codified at 7 Ill. Reg. 2934, effective March 9, 1983; amended at 8 Ill. Reg. 6023, effective April 20, 1984; amended at 9 Ill. Reg. 10692, effective June 28, 1985; amended at 9 Ill. Reg. 18130, effective November 12, 1985; amended at 10 Ill. Reg. 8666, effective May 13, 1986; amended at 10 Ill. Reg. 8976, effective May 13, 1986; amended at 10 Ill. Reg. 21051, effective December 8, 1986; amended at 11 Ill. Reg. 5926, effective March 19, 1987; amended at 11 Ill. Reg. 7937, effective April 20, 1987; amended at 12 Ill. Reg. 751, effective December 28, 1987; amended at 12 Ill. Reg. 779, effective January 4, 1989; amended at 13 Ill. Reg. 13562, effective August 11, 1989; amended at 13 Ill. Reg. 14026, effective August 28, 1989; amended at 14 Ill. Reg. 13970, effective August 20, 1990; amended at 15 Ill. Reg. 16945, effective November 12, 1991; amended at 16 Ill. Reg. 3078, effective February 14, 1992; amended at 19 Ill. Reg. _____, effective _____.

Section 120.10 Legislative Base

a) Federal

1) On July 21, 1981, Congress passed the Omnibus Budget

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

Reconciliation Act of 1981 (Public Law 97-35). This Act established seven (7) block grant programs, including the Community Services Block Grant. These block grants replace a large number of programs previously administered by the Federal Government. The Omnibus Budget Reconciliation Act also transferred primary responsibility for the administration of the block grant programs to the States and conferred substantial discretion on the States as to use of the block grant funds.

2) The Community Services Block Grant (CSBG) Act (Act) was enacted as Subtitle B of Title VI of the Omnibus Budget Reconciliation Act (Sections 671-683) and replaced the following programs formerly administered by the Community Services Administration under the Economic Opportunity Act of 1964 (42 U.S.C. 2701 et seq.):

- A) Community Action/Local Initiative
- B) Senior Opportunities and Services
- C) Community Food and Nutrition

3) The Omnibus Budget Reconciliation Act authorized to be appropriated \$389,375,000 for fiscal year 1982 and such sums as may be determined by Congress for the succeeding fiscal years to carry out the provisions of that Act.

4) States were eligible to receive funds under the Community Services Block Grant on October 1, 1981.

b) State

1) On September 9, 1981, the Governor officially requested the Secretary of the U. S. Department of Health and Human Services to delegate to the State responsibility for administering the Community Services Block Grant Program in Illinois. At this time, he also designated the Illinois Department of Commerce and Community Affairs as the Agency to administer the program for the State. On September 29, 1981, the Department of Commerce and Community Affairs submitted the application document consisting of the assurances and plan required under Section 675 of the law, and the pre-expenditure report for fiscal year 1982 as required by Section 1742(a).

2) After the expiration of the first fiscal year in which the State receives funds under the program, the State Legislature is required to conduct public hearings on the proposed use and distribution of Community Services Block Grant funds.

3) As part of its application, the State certified that it agreed to use funds available under the Community Services Block Grant:

- A) to provide a range of services and activities having a measurable and potentially major impact on causes of poverty in the community where poverty is a particularly acute problem;

- B) to provide activities designed to assist low-income participants including homeless individuals and families, migrants, and the elderly poor;

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- i) to secure and retain meaningful employment;
- ii) to attain an adequate education;
- iii) to make better use of available income;
- iv) to obtain and maintain adequate housing and a suitable living environment;
- v) to obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing and employment-related assistance;
- vi) to remove obstacles and solve problems which block the achievement of self sufficiency;
- vii) to achieve greater participation in the affairs of the community;
- viii) to make more effective use of other programs related to the purposes of the Act;
- C) to provide on an emergency basis for the provision of such supplies and services, nutritious foodstuffs, and related services, as may be necessary to counteract conditions of starvation and malnutrition among the poor;
- D) to coordinate and establish linkages between governmental and other social services programs in order to assure the effective delivery of such services to low-income individuals; and
- E) to encourage the use of private sector entities of the community in efforts to ameliorate poverty in the community.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.40 Allocation

- a) General Allocation -- Under the conditions of the Community Services Block Grant, the State has agreed to disburse, for fiscal year 1982 only, not less than 90 percent of the funds allotted thereto for purposes described in Section 120.10 (of these rules) to eligible entities as defined in these rules or to organizations serving seasonal or migrant farmworkers; to disburse for fiscal year 1983, and for each subsequent fiscal year, not less than 90 percent of the funds allotted to the State in grants to eligible grantees as defined in Section 673 and 675 of the Act and in Section 120.60 or to organizations serving seasonal or migrant farmworkers; and to expend not more than 5 percent of its allotment for administrative expenses at the State level.
- b) Grantee Allocation for Calendar Year 1982 -- The State will disburse 90 percent of the CSBG program funds to existing Community Action Agencies by a formula based on the average of two amounts: one calculated on the basis of the previous federal fiscal year 1982

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- Community Services Administration funding and the other amount based on the Grantee's jurisdictional share of the State's poverty population.
- c) Grantee Allocation for Calendar Year 1983 and Beyond -- The State will allocate 90 percent of the CSBG program funds to eligible grantees who collectively represent all of Illinois' 102 counties and the City of Chicago. Ninety percent of this allocation will be based upon the Grantee's jurisdictional share of the State's poverty population. The remaining ten percent will be allocated in such a manner as to best enhance the CSBG program objectives, and will include consideration of agency performance evaluations and state program priorities. For such period as required by law, not less than 90% of the CSBG funds will be allotted to eligible entities as defined in these rules or to organizations serving seasonal or migrant farmworkers.
- d) CSBG Discretionary Funds -- The 5% non-earmarked or discretionary funds will be used to fund various types of low-income assistance projects. This includes but is not limited to the following:
- 1) provide training and technical assistance to those entities in need of such assistance and such activities will not be considered administrative expenses;
 - 2) coordinate State-operated programs and services targeted to low-income children and families with services provided by eligible entities funded under this Subtitle, including outposting appropriate State or local public employees into entities funded under this Subtitle to ensure increased access to services provided by such State or local agencies; and
 - 3) supporting statement coordination and communication among eligible entities. This includes serving people in unserved parts of the state and projects to further improve employment prospects for low-income people in accordance with Section 675(c)(1)(B) of the Act. Additionally, the discretionary funding will be used to help to support continued training and technical assistance for grantees through and to support the Illinois Community Action Association. Association of Community Action Agencies.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.50 Grant Application Requirements

- a) Preapplication Requirements
- 1) Applicants for "90% CSBG funding" as indicated in Section 120.40 will be required to meet certain requirements prior to submitting an application. These requirements are:
 - A) a properly structured and functioning tripartite board as indicated in Section 120.70; new CSBG applicants may receive a 60-day extension to meet this requirement;
 - B) an undesignated (to any other corporate entity) basic central

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administrative capacity to receive, hold, expend or transfer and account for federal and State assistance funds, to procure facilities, goods and services, to enforce delegation agreements and procurement contracts and to accept, use and account for contributions from non-federal sources;

C) ~~an effective outreach/referral program;~~

D) ~~a continuing planning process and capability;~~

E) ~~a centralized fiscal management system; and~~

F) ~~an effective citizen participation/community involvement program.~~

2) Applications will not be processed nor grants awarded prior to the Department's review of the applicant's compliance performance in these five areas.

b) Application Requirements

In preparing its application for funding assistance under the CSBG program, the grant applicant is required to submit the following items:

1) Community Action Plan: ~~Service--Area--Analysis.~~ Prior to the submission of an application for funding under the CSBG program, the applicant must submit a Community Action Plan ~~Service--Area Analysis~~ which includes information identified in subsections (A) through (F) ~~(B)~~. Subsequent to the Department's receipt of the Community Action Plan, ~~Service--Area--Analysis,~~ a letter will be transmitted acknowledging receipt and prescribing corrective action for any inadequacies in ~~identifying--the--strengths--and weaknesses--of the plan. analysis.~~

A) Community Action Plan Narrative: ~~Service--Area--Analysis Narrative.~~ The narrative is a reference summary for the major components of the Community Action Plan. ~~Service--Area Analysis.~~ Its purpose is to specify:

- i) the types of data collected;
- ii) research methods employed;
- iii) persons involved in the planning process and procedures; ~~and--procedures--involved.~~
- iv) criteria used to rank problems, determine problem causes, establish priorities, and select strategies;
- v) problems/priorities to be addressed; and
- vi) strategies selected for implementation.

B) Needs Assessment: This component compiles and analyzes quantitative and qualitative information regarding the area's poverty problems and needs (e.g., poverty population by sex, race, age; number of public housing units and occupancy by sex, race, age; welfare payment statistics by sex, race, and age). This section of the Community Action Plan must address the needs of the poverty community for food and nutrition.

2) Description of the Service Delivery System: This part

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identifies the service delivery systems in applicant's service area that is targeted toward low-income citizens and makes an analysis of the accessibility and effectiveness of those systems.

D) Description of Linkages: This component describes how linkages will be developed to fill identifiable gaps in services to the poverty community through information, referral, case management and follow-up.

E) Coordination: This section describes how funding under the CSBG Act will be coordinated with other resources and specifically who the coordination includes and how it will be accomplished.

F) Outcome Measures: This section describes the outcome measures to be used to evaluate the success of the applicant in promoting self-sufficiency, family stability and community revitalization.

3) Resource--Assessment:--~~This--part--identifies--and--analyzes available--public--and--private--resources--for--utilization--in combating--the--area's--poverty--problems.~~

4) Strategic--Plan:--~~the--Strategic--Plan--establishes--priorities to--be--addressed--and--strategies--to--be--undertaken--in--the attention--of--the--area's--poverty--problems.~~

5) Affirmative Action Plan: The applicant agency must submit an affirmative action plan prior to its annual application for assistance. The affirmative action plan may follow such format as designed by the applicant, but must include information required by the Department.

6) Annual Work Program: The work program will narrate the objectives and activities proposed to be undertaken with grant funds. The work program will detail specific annual objectives including performance and outcome measures, the activities proposed to meet each objective, the agency responsible for carrying out the activity (if other than the grant recipient), and the costs to be incurred in carrying out the activities (including non-CSBG costs).

7) Annual Budget: The applicant shall submit a grant budget by cost categories, on the budget forms provided by the Department. As a result of problems with past audits, inexperience of the Department in dealing with the agency, lack of a cost allocation plan, or other related incidents, the Department may require that a complete annual budget be submitted which provides budget detail on all of the applicant's programs and sources of funding.

8) Description--of--Program--Linkages:--~~the--grant--applicant--will--be required--to--state--its--major--work--activities--which--impact--upon programs--funded--by--CSBG--and--indicate--the--manner--in--which--the programs--are--coordinated--with--the--agency--to--ensure--that--the multiple--needs--of--the--poor--are--being--addressed.~~

9) Statement--of--Retention:--~~the--grant--applicant--will--be--required~~

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to outline its program of coordination with other agencies and programs of the community that impact the applicant's program. The statement shall include coordination mechanisms established by the applicant and cite interagency agreements or contractual arrangements used to support coordinated service delivery.

5) Assurance and Certifications: As provided in the Grant Application, the applicant will be required to certify its compliance with all applicable state and federal laws and regulations dealing with the receipt and expenditure of grant monies.

c) Application Schedule

At least thirty (30) days before the beginning of its funding year, applicants must submit the Community Action Plan Service Area Analysis, Comprehensive Work Plan, Affirmative Action Plan, Annual Work Program, Annual Grant Budget, and supporting documentation to the Department.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.60 Grantee Selection

a) In areas of the State where the grantee's CSBG funding has been terminated in accordance with Section 120.55, the Department will initiate a process to select a successor agency in accordance with Sections 673 and 675 of the Act. The grantee selection process will be initiated in a timely manner (process to select successor agency as defined in this Section shall not exceed 120 days) so as not to cause undue program delays or interruptions.

1) The following are eligible for CSBG 90% funding:

A) Any organization which was officially recognized as a Community Action Agency (CAA) under the provisions of Section 210 of the Economic Opportunity Act of 1964 as amended, unless such organization lost its recognition as a result of failure to comply with the Act. (CAAs have a required minimum population base of 50,000+.)

B) Any organization officially recognized as a CAA by the Governor, or his duly authorized representative, under the provisions of this Part and in accordance with the Illinois Economic Opportunity Act. Organizations eligible for State CAA recognition include:

1) Any non-profit private community organization serving a jurisdiction of at least 50,000 population, determined to be capable of planning, conducting and administering a community services program under criteria described in Section 120.50 and having a Board which meets the provisions outlined in Section 120.70 of these rules.

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ii) Any city within the State with a population in excess of 100,000 or a county or group of contiguous counties with a minimum population base of 50,000. The governmental unit must be capable of planning, conducting and administering a community services program under criteria described in Section 120.50 and must have an Administering Board in accordance with Section 120.70.

2) Notification and Special Solicitation

A) The Department shall notify, in writing, each contiguous existing CSBG eligible entity and others within reasonable proximity (corporate headquarters of the eligible entity is within 50 miles of the boundary of the area to be served), that the area is presently unserved by the CSBG program, and the Department is seeking a successor agency. In its notification, the Department shall advise the agency to request, if interested, an application package in order to apply for CSBG service provision in the area to be served. The agency shall have ten (10) days from date of notice to request the application package. The requests shall be directed to the Manager of the Division of Economic Opportunity.

B) The Department will allow the requesting agency forty-five (45) days from the date of mailing the application package, to complete the application and submit three copies to the Department. The Department will adhere to this forty-five day period, unless the agency, which requested the application package communicates to the Department its lack of interest in applying.

C) The Department will respond in writing indicating acceptance or rejection of any application from an existing eligible entity within ten (10) days of receipt of the application.

D) If the special solicitation period for the existing eligible entities produces no interest or no acceptable service delivery applications (applications did not meet the criteria specified in Sections 120.50 and 120.60(a)(3)), the Department will solicit applications from organizations within the service delivery areas as specified in subsections (a)(1)(B)(i) and (B)(ii) of this Section.

3) Application Contents

In addition to the requirements found in Section 120.50, the application for CSBG service delivery shall include the following:

A) The applicant must demonstrate the support of the public, private and client sectors of the population in the service delivery area (e.g., results of public hearings, letters of support).

3) The applicant must obtain the formal designation (documented

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resolution) or intent to designate from the principal governing body(ies) in the service delivery area.

- C) The application must include detailed information on how the required community action agency board will be constituted (see Section 120.70). (For existing eligible entities applying for the new service delivery area, this information must specify how the representatives of the new area will become a part of the of the applicant's existing CSBG administering/governing board.)
- D) The application must demonstrate how service delivery will be made available to all geographic areas of the service delivery area and how all elements of the area's eligible population will be reached ~~(see Sections 120.50(b)(4) through 120.50(b)(7))~~.
- E) The applicant agency must supply the following information which describes its base and purpose:
- i) statement of the mission of the agency;
 - ii) organizational chart of the agency; and
 - iii) written assurances that the applicant agency is a legally established entity with authority to operate in the service area for which the application is being submitted.
- F) The applicant agency must supply the following information which describes agency experience:
- i) a history;
 - ii) a description of past experience (if any) in providing services to the proposed target group (i.e., impoverished population); and
 - iii) a description of services currently delivered by the agency which are related or complementary to this program.
- G) The applicant agency must provide the following information regarding its Equal Employment Opportunity/Affirmative Action Policies:
- i) written documentation which indicates compliance with equal opportunity and affirmative action regulations (Affirmative Action Plan, see Section 120.50(b)(2)); and
 - ii) the applicant must supply a written statement as to whether the applicant has been party to any proceedings or litigation with regard to equal employment opportunity or affirmative action investigations or complaints conducted by or filed with the Illinois Department of Human Rights or the U.S. Equal Employment Opportunity Commission. If so, a description of the nature of the investigation or complaint and the case resolution or anticipated date of resolution if such case is pending.

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4) Application Format

The format for the application will be in accordance with Section 120.50(b)(1) through 120.50(b)(7). Forms will be provided by the Department and will be a part of the application package provided to the applicant.

5) Evaluation of Applications

- A) Applications must meet all the requirements of Sections 120.50 and 120.60(a)(3) to be placed in consideration for funding.
- B) The decision process will include an evaluation of the following agency attributes:
- i) ability to conduct multiple programs, with a variety of staff members and funding sources;
 - ii) have traditionally served impoverished populations in their area (e.g., low-income minorities, youth, elderly, etc.);
 - iii) have coordinated their programs with other area antipoverty programs;
 - iv) have included the recipients of their services in agency decision-making (see Section 120.70(b)(1)(B));
 - v) have the support of the local governments of the county(ies) which shall be evidenced through formal resolutions, letters of endorsement;
 - vi) can demonstrate that they have effectively provided those services to their clients that are specified by the agency's mission (e.g., agency performance records);
 - vii) provide the highest ratio between the amount of grant funds to be used for direct services and the amount to be used for administrative expenses (i.e., project low administrative costs);
 - viii) propose multiple programs which emphasize the priorities of the Department (see Section 120.110);
 - ix) address specific local needs (e.g., housing, education);
 - x) have well-defined outcome measures developed ~~quantitative and quantitative goals and objectives~~ that can be monitored and used to evaluate the success in promoting self-sufficiency, family stability, and community revitalization;
 - xi) utilize CSBG funding to leverage other funds and services that will benefit the poor in the community; and
 - xii) propose coordination with other human service programs.
- C) Applications must address one or more of the program priorities described in Section 120.110, with the highest priority being placed in economic development programs which

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create jobs.

D) The Department will give special consideration, in its selection, to agencies with prior experience in operating similar or other Department funded programs and with documented records of compliance with rules, regulations, and grant conditions relating to their program operation.

E) The Department will conduct and give special consideration to the results of a public hearing wherein competing agencies are provided the opportunity to present their case for selection to the public in the area to be served by the program.

F) The Department will consult with and take into account the recommendations of the principal governing body(ies) in the service delivery area.

3) The final decision will be based upon the weight of the facts and recommendations found in subsections (a)(5) (A)-(F). The most effective, efficient and well coordinated program delivery system available will be selected.

b) Interim Service Provision

When the CSBG funding of an eligible entity is suspended, pending termination (in accordance with Section 120.55) and expected to undergo federal review, appeals, and/or litigation, the Department will, within 30 days of its decision to terminate funding, initiate the following steps to establish an interim provider.

1) First preference for interim service provision will be given to a fiscal/operating agreement with the Illinois Community Action Association (ICAA) ~~if it is not an Association of Community Action Agencies (ICAA)~~. The Department will select another interim service mechanism only if the ICAA ~~ICAA~~ declines or if agreement cannot be reached on the interim services contract.

2) Establish the services for an interim period through a fiscal/operating agreement with:

A) a contiguous Community Action Agency, or
B) contracted services of a local public or not-for-profit agency with experience in human service delivery (e.g., Head Start Program, Food Commodity Program, and Women, Infants, Children (WIC) Program), or

C) directly provide the services.

c) Discretionary Funding Eligibility
CSBG discretionary funds may be awarded to entities other than those listed in this Part when it is determined by the Department to be in the best interest of the CSBG program and consistent with the Governor's CSBG assurances and Section 120.40(d) of this Part.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.80 Administrative Requirements

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For the purpose of this Part, administrative requirements specified in 47 Ill. Adm. Code 1 and as follow are applicable.

a) Compensation - The Grantee cannot be reimbursed for costs which exceed the total approved budget. If the Grantee believes its operation for the grant period will exceed a budgeted line item or cost category, it shall request approval of the Department in writing and give justification for the requested variation prior to exceeding any approved budget line item or cost category. However, Program Support and Client Assistance cost categories and all inclusive line items may vary up to 20% from the approved budget amount. In no event shall the Administration cost category be increased without prior written approval from the Department and the Special Category may only be increased. Budget line items within and between cost categories may be increased without prior approval by up to 20% when other line items or cost categories are reduced by corresponding monetary amounts in other categories. The administration category may only be reduced and the special category may only be increased. Equipment and contract service line items may not be increased without prior approval. The Department will grant approval to modify budgeted amounts when the modification is necessary to achieve program objectives.

b) Unexpended Funds -- CSBG fund balance from the previous fiscal year will be, subject to written approval of the Department, carried into the grantee's succeeding fiscal year CSBG program. The carry-over funds will not reduce the succeeding fiscal year allocation, but the carry-over amount should not exceed 20% of the agency's annual CSBG allocation and the succeeding year's work program must reflect additional planned program achievements with reasonable probability of accomplishing those planned achievements so as to eliminate future substantive unexpended balances.

c) Reporting

1) An Expenditure Summary and Payment Request shall be submitted to the Department on or before the 15th calendar day of each month after the first month of the program year using forms provided by the Department.

2) A Quarterly Program Report shall be submitted to the Department by the 15th day following the end of each calendar quarter.

1) Monthly Reports - an expenditure report shall be submitted to the Department at the time of each cash request, but no less frequently than the 15th calendar day of each month after the first month of this grant period. The report shall be in a format established by the Department and shall contain such financial information required by the Department.

2) Quarterly Reports - A Quarterly Program Report, prepared in a form and manner prescribed by the Department, shall be submitted to the Department by the 15th day following the end of each calendar quarter.

3) The Grantee shall submit other programmatic reports as may be required by the Department.

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- d) Contractual Services - All contractual services require prior approval of the Department. Grantees will request approval of contractual services as part of the annual budget process and in any subsequent modifications to the contractual services line item of the budget. Requests to expend funds for contractual services will be approved when the following conditions are met:
- 1) services respond to a demonstrated need (i.e., legal services, transportation, licensed drug/alcohol counseling);
 - 2) services are not duplicative of existing program services;
 - 3) the Grantee assures the reasonableness of the costs for the services in accordance with applicable OMB circulars; and
 - 4) services benefit low income participants in accordance with Section 120.10 ~~120.60~~(b)(3)(B) of this Part.
- e) Publication, Reproduction and Use of Material - Any publication produced as a result of a CSBG grant shall include in its title page the following citation: "This project was conducted with funds provided by the Illinois Department of Commerce and Community Affairs and does not necessarily represent in whole or in part the viewpoint of the Illinois Department of Commerce and Community Affairs."
- f) Assurances - Grantees must comply with the provisions of Sections 675(c)(2)(B)(6) through (10) of the Act.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.110 Program Types-Description

- a) General Program Purposes -- The Grantee will use the Community Services Block Grant available through the State of Illinois for purposes as described under Section 675(e) of P.L. 97-35 (See State Administration of the Federal Community Services Block Grant Program (Section 120.10)).
- o) Program Priorities -- The Department's priorities parallel those of the Act, and fall into the following categories:
- 1) Economic Development -- Reflecting the importance of a community's economic viability for the poor, the Department has placed its highest CSBG priority on job creating economic development programs which result in the employment and self-sufficiency of low-income persons. Each CAA designs and operates an individualized economic development program. Ten to fifteen percent of each CAA's annual CSBG funding is allocated for economic development/job creation activities. Most CAAs operate a loan program through which below market rate loans are made for business expansion and start-up which results in the hiring of low-income persons. ~~the highest priority of the Illinois CSBG program is the establishment of economic development programs which create jobs. Program activities may include but are not limited to low interest loans to businesses~~

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- ~~establishing businesses as subsidiary and referral services corporations; job counseling services and referral services working with the private sector to establish programs to employ low income and handicapped persons and linkages with employment and training programs; grantee agencies must utilize at least ten to fifteen percent (10-15%) of their annual CSBG allocation for job creating economic development; if the Grantee commits to the CSBG loan program, the ten percent (10%) amount is acceptable; if the Grantee chooses other job creating activities enumerated in this subsection, the minimum commitment is fifteen percent (15%).~~
- 2) Education -- Recognizing the importance of education in breaking the cycle of poverty, priority is given to education programs which are designed to increase the capability of the poor to function productively in society. A broad spectrum of educational assistance is provided through the CSBG program. Specific examples include: workplace orientation, vocational skills training, family planning education, cultural opportunities for disadvantaged children, energy conservation education, post-secondary education scholarships, GED assistance for high school dropouts, adult and youth literacy training and nutrition education for single parents and the elderly. ~~Examples of activities in this regard include the provision of scholarships, the administration of General Education Diploma (GED) programs, vocational education courses, and consumer education programs.~~
- 3) Income Management -- Emergency Assistance -- Recognizing that crisis situations (generally life threatening) frequently occur within the low income population, priority is given to programs that intervene for purposes of alleviating the crisis situation. Examples of activities in this regard include but are not limited to services that provide shelter, food, clothing, health, medical assistance and transportation to poverty level individuals. Counseling and instructing low income individuals and families in the management of their income is an acceptable program activity. This could take the form of addressing consumer education issues, assistance in preparation of federal and State income tax reports, and the provision of workshops on income savings measures. Many CAAs offer programs to encourage better use of available income. A majority of this assistance is in the form of family budget counseling. Information also is provided through workshops or brochures on such topics as financial management, credit, income taxes and Social Security.
- 4) Housing -- The primary housing activities include aid to renters seeking a residence, landlord/tenant rights education and arbitration, information about purchasing/financing a home, packaging housing and housing rehabilitation loans and providing for minor energy efficiency or health and safety related home repair. These activities may be linked with other housing

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related assistance in the community, such as the Energy Assistance and Weatherization programs. Priority is given to programs designed to help the poor obtain and maintain housing. Activities under the overall housing program may include referral services, tenant counseling, packaging of loan applications, low cost energy related repair of homes, these activities may be linked with other housing related assistance in the community such as the Energy Assistance and Weatherization programs.

- 5) Emergency Assistance -- Recognizing that crisis situations (generally life threatening) frequently occur within the low income population, priority is given to programs that intervene for purposes of alleviating the crisis situation. Most CAAs maintain clothes closets and food pantries, many of them in conjunction with other community groups and local churches. Some agencies provide redeemable vouchers or grants to clients that enable them to meet immediate and urgent family needs such as health services, nutritious food, housing, employment-related assistance, day care, medical services and transportation. Income Management -- Counseling and instructing low income individuals and families in the management of their income is an acceptable program activity. This could take the form of addressing consumer education issues, assistance in preparation of federal and state income tax reports and the provision of workshops on income savings measures.

- 6) Nutrition -- Poor nutrition and/or lack of proper diet are often synonymous with the effects of poverty. Activities designed to increase eligible clients' awareness of proper diet and food preparation is a concern to the total community. CSBG funding is a primary resource for leveraging and providing nutritional assistance. Typical programs include: federal surplus food distribution, community gardening projects, food banks, senior citizen and youth feeding projects, Christmas food packages and assistance in accessing food stamps, WIC and other nutrition-related programs. These activities may include the storing and distribution of surplus United States Department of Agriculture (USDA) agricultural commodities; preparation and service of hot meals; food baskets; and programs designed to prevent malnutrition.

- 7) Linkages -- CSBG funding regularly supports extensive outreach, information and referral services, transportation services, youth recreation and self-sufficiency programs for low-income citizens. Other program areas -- An assessment of local poverty population needs may determine other priority areas. These could include but are not limited to family and individual counseling programs, transportation projects, to assist the elderly, poor, summer youth recreation programs, and joint anti-poverty ventures with the private or public sectors. A joint anti-poverty venture with the private or public sectors is a project which is financed

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- with grant funds and other public or private sector funding. 3) Self-Sufficiency -- Many CAAs provide for comprehensive family case management programs that promote, empower and nurture family members toward self-sufficiency.

- 2) Health -- CAAs provide many health related activities in the form of transportation to medical services, medical/dental screening, immunization, drug and alcohol abuse prevention and other services which promote good health.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.115 CSBG Loan Programs

a) Loan Types

i) Fixed-Rate Financing Fund-Loan

- A) CSBG funds are loaned through grantees to an Illinois business in a separate but companion agreement to a conventional loan.

- B) The combined loans must exceed \$75,000.

- C) The CSBG loan represents no less than ten percent (10%) and no more than twenty percent (20%) of the total loan package to combined borrowing and equity.

- D) The conventional loan is obtained from a licensed Illinois lending institution. The Small Business Administration guarantees up to 90% of the private lending institution's loan through its 7(a) guaranteed loan program (15 USC 636(a)). The lending institution may set the guarantee called a "guaranteed interest" certificate into the secondary money market at a fixed interest rate that is one-half to one percent above Treasury bonds of the same maturity.

- E) The CSBG loan term may not exceed 10 years.

- F) CSBG loan interest rate is fixed flexible option.

- i) The CSBG loan shall have a fixed interest rate of no more than five percent (5%) or

- ii) At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the prime interest rate. National prime rate is shown on that date in the Wall Street Journal. This calculated rate shall become the loan's fixed interest rate for one year. At the end of thirty (30) days before the annual anniversary date of the loan, the grantee shall notify the borrower of the interest rate to be charged for the next year based on 1/2 of prime as of date of notice. The annual interest rate under this clause option shall never exceed the original interest rate setting and the

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~~Grantee may set a minimum floor interest rate of five percent (5%) of less for the duration of the loan.~~

~~3) The conventional and CSBG loan closings must be within 60 days of each other.~~

a) CSBG Revolving Loan

1) CSBG funds are loaned through Grantees to an Illinois business in a separate but companion agreement to a conventional loan.

2) The CSBG loan represents no more than forty-nine percent (49%) of the total loan package (combined borrowing and equity).

3) The conventional loan is obtained from a licensed Illinois lending institution.

4) The CSBG loan term may not exceed 10 years but may be for a shorter term at the discretion of the Grantee.

5) CSBG Loan interest rate (Fixed-Flexible option)

A) The CSBG loan shall have a fixed interest rate of no more than five percent (5%); or

B) At the grantee's option, the interest rate to the borrower may be set at loan inception at a rate not to exceed one-half (1/2) of the Prime Interest Rate (National Prime Rate as shown on that date in the Wall Street Journal). This calculated rate shall become the loan's fixed interest rate for a one year period. Thirty (30) days before the annual anniversary date of the loan, the Grantee shall notify the borrower of the interest rate to be charged for the next year (based on 1/2 of Prime at date of notice). The annual interest rate under this flexible option shall never exceed the original interest rate (ceiling) and the Grantee may set a minimum (floor) interest rate of five percent (5%) or less for the duration of the loan.

6) The CSBG financing must be committed prior to the closing of other financing. ~~The conventional and CSBG loan closings must be within 60 days of each other.~~

b) Hiring and Job Retention

1) Establishing a Pre-Loan Base Number of Employees -- The Grantee shall have the right to review the borrower's employment verification records at the time of the loan closing to establish the pre-loan employment level in order to assure that no personnel cuts were made by the business in anticipation of the pending loan and its hiring requirements.

2) Hiring Requirements

A) Businesses accepting CSBG loan funds must hire at least one new full-time equivalency (minimum 37 1/2 hour work week, averaged annually) CSBG eligible (in accordance with Section 120.120) employee for each \$10,000 \$7,500 or any portion thereof of CSBG monies borrowed

Minimum

Example: \$ --\$ 10,000 \$7,500 1 Job

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\$ 10,001-\$20,000 \$7,500 \$15,000 2 Jobs
\$20,001-\$30,000 \$15,000 \$22,500 3 Jobs; or

B) The Department will ~~shall~~ allow, based on presentation of written verifiable jobs (to be created) salary data submitted as part of its loan application, the Grantee to set the amount loaned per job at seventy-five percent (75%) of the entry level salary (which may include non-required benefits) for each job up to a maximum of \$20,000 per job. For example: an entry level salary of \$40,000 would warrant lending of \$20,000; a \$20,000 entry salary would warrant lending of \$15,000; a \$7,000 entry salary would warrant lending of \$5,250.) The Department will, upon request, consider the inclusion of fringe benefits (e.g., health insurance) in the salary calculation. (No combination of (A) and (B) of this subsection (b)(2) is allowed. The Grantee shall choose one method or the other.)

C) If part-time employment is involved in the created jobs (under either (A) or (B) of this subsection (b)(2)), the full-time equivalency shall be no more than two employees making up one 37 1/2 hour work week.

D) A hiring schedule must be a part of each loan agreement. The required hiring must be completed within the first 24 months of the loan, with at least 50% of the new employees hired in the first 12 month period. (For purposes of this hiring timeframe, the loan is considered consummated the date the borrower first receives the loan funds.)

E) The job positions for CSBG eligible clients created by the loan must be retained and filled by an eligible client for at least 24 months from the date the job was first created. Grantees should attempt to retain the availability of the loan-created loan-created jobs for CSBG eligible clients over the full loan term by maintaining professional contact (e.g., Job Training Partnership Act job referrals, Targeted Jobs Tax Credit Program) with the business and tracking the jobs. Grantees, through their individual loan agreements, may negotiate more restrictive hiring requirements than stated in this subsection (b)(2).

c) Loan Fund Use

CSBG funds loaned may only be used to purchase machinery, equipment or inventory or to provide working capital. CSBG loans may not be used to purchase or improve real property (per Section 120.130 of this Part). This real property restriction does not apply to loans made with "Recaptured Loan Funds" (as described in subsection (1)) of this Section ~~444~~.

d) Loan Security

Provisions (collateral) shall be made for first position on loan security. If first position is impossible because of the primary lender's claims, the Grantee should negotiate shared position with the

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private lender. Subordinate position for loan security should be the CSBG lender's ~~CAA's~~ last resort. Loan agreements shall contain precise listings and assignment of collateral established as security for the loan.

e) Loan Contract Provisions

Each Grantee's loan contract with a borrower shall clearly, and in detail, specify the following:

- i) Employment Plan (consisting of mechanism to assure GSBG client eligibility, timeframes, job descriptions);
- 2) Payment Schedule;
- 3) Interest Rate Charged;
- 4) Late Payment Penalty Provision (optional);
- 5) Default Provisions.

A) Events of Default:

- i) Payment Default: the Department shall consider a loan to be in default when payment arrearage reaches 90 days. Grantees may place more restrictive payment arrearage provisions in their loan contracts.

- ii) Hiring Default: a loan shall be considered in default when the hiring provisions specified in this Part and in the loan agreement ~~contract~~ have not been met.

3) Default Remedies:

- i) Payment Default: the loan will be called or renegotiated (loan renegotiation approval must be requested of the Department and will be approved when the Grantee's written request states that the renegotiation is the only practical means of loan recovery and/or will prevent bankruptcy and/or will prevent a loss of jobs to the local area).

- ii) Hiring Default: an interest acceleration clause shall be a part of each loan contract. At a minimum the clause shall provide that after notice by the Grantee to the borrower that the hiring provisions have not been met, the interest rate for the loan will increase to the National Prime Rate as shown in the Wall Street Journal on date of notice. Such increased rate shall remain in effect until hiring deficiencies have been corrected or the loan is called. No less than one-half of the proceeds from the interest penalty shall be treated as repaid principal. (The Department will allow a one-time waiver per loan to the interest acceleration provision when the Grantee, in writing, shows that such acceleration will cause borrower bankruptcy and further loss of jobs and submits a proposed renegotiated hiring schedule that meets the CSBG job creation and hiring requirements through no more than a 24 month extension.) The Department will allow other equally punitive hiring noncompliance

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interdictions in grantees' loan contracts in lieu of the interest acceleration penalty. Such other interdictions may include (but are not limited to) fines, partial loan recall and pre-scheduled interim balloon payments;

- 6) Loan Security Provision (The Grantee shall perfect the loan security. For example: hold title to vehicles; secure a mortgage on pledged real property; require Uniform Commercial Code (U.C.C.) [810 ILCS 5] ~~title~~ ~~Rev-Stat-1989-chr-267-par-1-101~~ ~~as-seq-7~~ filing for pledged equipment, fixtures and inventory.);

7) Collateral Description;

8) Prepayment Provisions (optional);

9) Hiring Schedule;

10) Use of Loan (Machinery, Working Capital, Equipment);

11) Hiring Noncompliance Penalty ~~(optional)~~;

12) Other documentation necessary to assure compliance (e.g., hiring reports); and

13) Primary lender - amount ~~term~~ ~~interest~~ ~~collateral~~.

f) Loan Payment Provisions

- 1) The interest rate for the CSBG loan shall have a fixed rate not to exceed 5% or an annually adjusted rate as specified in subsection (a)(2)(E) of this Section.

2) Payment Schedules

- A) Payments shall include principal and interest calculated in accordance with standard loan tables.

- B) Loan payments shall not be deferred.

- C) Grantees, through their individual loan agreements, shall impose a late payment penalty of not less than five percent (5%) of any monthly installment not received from the borrower within fifteen (15) days after the installment is due.

g) Micro-Loan Provisions

The Department has established, within the CSBG Loan Program, a Micro-Loan Program. This program is designed to enable Grantees to assist entrepreneurs in establishing and expanding business ventures. It provides for up to 100 percent CSBG lending, makes less demand for collateral and gives lending discretion to Grantees. To operate a CSBG Micro-Loan Program, a Grantee must have "preferred lender" status, approved loan criteria and an approved lending process.

1) Preferred Lender

To obtain preferred lender status, the Grantee must establish and maintain a loan review committee, with a minimum of 3 members who represent the financial and economic development professions and should include the legal profession. In lieu of legal profession membership, the Grantee must include in their micro-loan procedures a provision for legal review of loans. The committee may be attached to the Grantee's CSBG board. The Department will, upon receipt of documentation, formally recognize preferred

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-lender status.

2) Micro-Loan Criteria

- A) Businesses eligible for micro-loans may be a proprietorship, partnership or corporation with no more than 5 employees. If proprietors, eligible borrowers must own all business assets; if partners or corporations, eligible borrowers must own more than 50 percent of the business assets.
- B) Eligible borrowers must agree to create and fill a minimum of one job for a CSBG eligible client for the micro-loan lending. The job creation may include the borrower if he/she is CSBG eligible and will gain full-time employment through the borrowing.
- C) The business must be located in the CSBG jurisdiction of the grantee, and the borrowers must demonstrate that they cannot access the funds from other sources.
- D) Maximum lending is \$15,000 and may be entirely CSBG funded.
- E) Recaptured principal will be used for all micro lending. Exceptions to this provision must be requested in writing and approved in writing by the DCCA/CSBG Loan Program Coordinator.)
- F) The interest rate may not exceed 5 percent and may be adjusted at the discretion of the Grantee as long as it never exceeds 5 percent.
- G) Loan collateral is at the discretion of the Grantee.
- H) The term of the loan may not exceed 5 years.
- I) A hiring schedule must be a part of each micro-loan agreement. The required hiring must be completed within the first 12 months of the loan.
- J) Funds loaned may be used to purchase machinery, equipment and inventory, to provide working capital and to purchase or improve real property.
- 3) Micro-Loan Forms and Procedures
The Grantee must establish and maintain DCCA approved loan application forms, loan agreements, loan applicant requirements and screening process, loan review process and loan monitoring procedures.
- 4) Micro-Loan Administration
- A) Since the Grantee must be a "preferred lender" in order to participate in the program, final decisions for lending are at the Grantee level.
- B) Recaptured principal disbursed for micro-loans must be so noted in accounting records at the time of fund transfer.
- C) Monitoring will be conducted by the Grantee.
- D) Reporting will be on one line of the CSBG Quarterly Loan Program Status Report (Hiring and Financial), and the lending will be included in Recaptured Loans on the Reconciliation Form.
- E) The file for a micro-loan shall consist of:

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- i) the application;
- ii) committee approval;
- iii) the loan agreement/contract;
- iv) amortization schedule;
- v) hiring schedule;
- vi) monitoring information; and
- vii) CSBG Loan Project Fact Sheet.
- F) The micro-loan repaid principal must be maintained in the same account as all other CSBG Loan Program repaid principal.
- h) Loan Approval Process for Loans Under Current Grants
- 1) All Grantee CSBG funded loans must be submitted to the Department for approval. The Department's review and determination to approve or disapprove the loan will be given in writing within twenty (20) working days of receipt of a complete set of the loan documents. (Loans submitted for approval after November 15 run the risk of not being processed by the December 31 cut-off due to insufficient time to complete the review. Loans approved after the December 31 date will be obligated against new program funds effective January 1, 1995--any--calendar--year--may--take--up--to--forty-five--working--days--for--approval--)
- 2) The loan application documents to be submitted and upon which the decision of the Department will be based, consist of:
- A) The loan agreement containing all provisions in compliance with this part.
- B) Application documents:
- i) History of the Company - a brief history of the business and past employment growth.
- ii) Market Information - information on the company's products or services and identification of existing and potential major customers and competitors.
- iii) Corporate Financial Statements - historical corporate financial statements for the past three years and interim statements dated no more than ninety days prior to application including: Profit and Loss Statements, Balance Sheets, Cash Flow Statements, and Disclosure of Contingent Liabilities.
- iv) Three Year Projections - three year projections of the Profit and Loss Statement and Balance Sheet and a one year Monthly Cash Flow Projection.
- v) Description of Inventory - a list of inventory to be purchased using CSBG funds. Include as much detail as possible.
- vi) Description of Machinery and Equipment (if applicable) - major equipment or classes of equipment to be acquired with the Department's program funds identified, including model and serial numbers where possible; for acquisition of new machinery, etc.

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equipment, attachments of reliable vendor cost estimates; for moving and installation costs, attachments of written estimates; for used machinery and equipment acquisition, an independent appraisal demonstrating that the fair market value is in line with the purchase price.

viii)† Description of Working Capital (if applicable) - a detailed explanation of the need for and use of funds.

viii)† Company Management - a listing of those people that are responsible for the management of the company, their positions, and percentages of ownership.

ix)† Principal(s) Personal Resume(s) - a resume of each Principal for--senior--staff--at-the-proposed-project site.

x)† Personal Financial Statement - a personal financial statement(s) for each principal owning more than 20 percent of the company.

xi)† Letters of Commitment - commitment letters documenting all sources of leveraging; loans from financial institutions must have language indicating the loan amount, the specified term and interest, collateral, conditions attendant to the loan, and the fact that the loan is approved; any commitment to purchase a revenue bond must have an executed inducement resolution and the rates, terms, and conditions of approval by the buyer.

3) Financial Evaluation Component - The applicant's financial statements, including annual balance sheets and profit and loss statements for the past three years as well as the most recent ninety days; a three year projected balance sheet and profit and loss statement as well as a one year monthly cash flow statement will be reviewed through a standard credit analysis (as prescribed in the Business Credit Analysis Textbook, 1985, published by the National Development Council) which will determine the liquidity and debt coverage for the project; ability of the company to manage debt; business trends and projected earnings. This data will be compared to similar data for companies in the same industry using "Robert Morris Associates Annual Statement Studies" (1990) if such industry is evaluated by this source. This standard credit analysis will determine the financial stability of the company. Determination of the loan approval will also be based on compliance with Section 9-4(a), (d), (e), and (f) of the Small Business Development Act [30 ILCS 750/9-4]. †††--Rev--State--1989--enr--127-par--2709-4077-td7-tet7-and-†††

ii)† Loan Approval Process for Recaptured Loan Funds

1) All grantee loans using retiring repaid principal from previous

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CSBG loans (recaptured loan funds) must be submitted to the Department for approval.

2) The Grantee may, at its option, request the Department to review the complete loan application. When this request occurs, the documents upon which the Department will judge its approval or disapproval and the process for this determination will be in accordance with subsection (g) of this Section.

3) If the Grantee chooses to conduct its own loan review, the loan document to be submitted and upon which the decision of the Department will be based is the "Pre-Loan Closing Form" which includes the following information:

A) Grantee Agency name, address and date of submittal;

B) Name and address of borrowing business;

C) Loan amount;

D) Source of funds;

E)† Loan period;

F)† Interest rate;

G)† Hiring schedule;

H)† Loan use;

I)† Collateral description and position;

J)† Primary lender, amount, and term; and

K)† Signature of submitting officials.

4) The approval, or disapproval of the Department will be based on the loan period, interest rate, hiring schedule, loan use, collateral description and position, and primary lender amount being in compliance with this Part. The "Pre-Loan Closing Form" will have an Approval/Disapproval check box with an explanation section for disapproved submittals and a signature line for the Department's reviewer. This document, with the Department's determination and signature, will be returned to the Grantee within 10 working days of its receipt. (Loans submitted after November 15 run the risk of not being processed by the December 31 cut-off due to insufficient time to complete the review. Recaptured loans approved after the December 31 date will not prevent the declaration of "lapsed principal" and the demand for its return.) †††--approval-process--for-loans-submitted-after-November-15--of-any-calendar-year-may-take-up-to-forty-five--(45) working-days--†

1) Processing a Micro-Loan

1) All micro-loans are approved at the Grantee level.

2) Once the funds have been disbursed, a CSBG Loan Project Fact Sheet must be submitted to the Department. This will be the mechanism for advising the Department that action has taken place.

K)† Loan Fund Recovery/Re-Use/Disposition/Reversionary Right

1) Recovery

The repaid loan principal is considered by the Department to be a Community Services Block Grant-related asset, held in trust by

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the Grantee. The Grantee must place the repaid loan principal in a corporate revolving loan account to continue business assistance efforts in compliance with this Part. This continuation requirement shall be perpetually binding on the grantee, its successors and assignees until such time as the Department formally negotiates with the agency other CSBG related uses for the recovered loan principal. The interest earned on the CSBG supported business loans is not required to be a part of the perpetuation of the loan program nor subject to the provisions of the Illinois Grant Funds Recovery Act (30 ILCS 705) -~~1111-Rev-Stat--1989--Ch--1277--Par--2301-et-seq--~~ and may be used for any corporate purpose.

2) Re-Use

Recaptured principal amounts will be reported quarterly to the Department. The Grantee shall actively pursue new business start up or expansion loan opportunities for the recaptured principal (written record of loan attempt activity). When it is found by the Department that recaptured principal has accrued to either \$40,000 or fifty ~~thirty-three~~ percent (50~~33~~%) of the annual repaid principal amounts (from the previous calendar year excluding any balloon payments), whichever is greater, the excess of these limits will ~~shall~~ be declared to be lapsed principal. If the Grantee does not reduce by at least 25 percent, through lending, the allowable held principal for two successive years, the allowable repaid principal to be held will be reduced by \$10,000 at the end of each succeeding year in which there is inadequate repaid principal lending. With thirty days written notice from the Department, in the following calendar year all excess principal held by the Grantee at the end of the calendar year will ~~shall~~ be payable to the Department's Department, ~~not~~ its designee, Illinois Ventures for Community Action, Inc., or as an alternative the Grantee will take a deobligation of their current CSBG funding, replacing the deobligated amount with the funds identified as lapsed principal and interest. ~~With thirty days written notice by the end of--of--February--in--the--following calendar--year--~~

3) Disposition

The Grantee may not sell, transfer or in any way dispose of the CSBG funded loans without DCCA's written approval.

4) Reversionary Right

~~If in-the-event-of~~ Grantee funding terminates ~~termination-of~~ funding (as specified in Section 120.55 of this Part) the grantee's repaid principal loan fund balance and all current loans shall revert to the Department for transfer to the successor (Section 120.60 of this Part) agency.

5) Loan Settlement

In the event of a loan settlement due to bankruptcy or other

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closing, the cash settlement shall be applied 100 percent to principal after expenses are paid. Expenses are defined as unplanned costs incurred as a result of the closing/bankruptcy (i.e., storage or attorney) and are not covered by the CSBG grant or earned interest.

1) Reporting/Monitoring/Recordkeeping

1) The grantee agency is responsible for monitoring the following provisions of each CSBG supported loan (including loans made with repaid ~~recaptured~~ loan principal):

- A) hiring schedule compliance including CSBG eligibility verification;
- B) replacement of employees;
- C) use of loan monies; and
- D) loan repayment.

2) ~~Loans--made--with--recovered--loan--principal--will--be--monitored--and--reported--in--the--same--manner--as--initial--CSBG--fund--loans--~~ The grantee agency monitoring must be completed prior to the Department's quarterly CSBG reporting requirement dates (1/15, 4/15, 7/15 and 10/15). The CSBG quarterly reports from the grantee agency will include a completed Quarterly Fund Hiring/Payback status report which provides the following information:

- A) agency name and address, reporting period, and contact person;
 - B) a list of closed projects;
 - C) total number of jobs created using CSBG dollars;
 - D) total number of jobs retained using CSBG dollars;
 - E) timetable for hiring (number to be hired by month, day, and year);
 - F) total number of jobs filled to date (excluding terminations);
 - G) number of CSBG persons hired who are female or minority employees;
 - H) comments regarding the projects (terminations are to be noted here);
 - I) loans totally repaid (name and amount of principal);
 - J) loans presently being repaid (name, monthly principal, and principal to date);
 - K) total principal repaid to date on all loans;
 - L) balance of funds in recaptured account;
 - M) loans made from recaptured funds (business name and CSBG dollar amount); and
 - N) loans delinquent in payback (business name, total amount delinquent, how long delinquent).
- 3) The grantee agency must maintain loan program data (e.g., bank statements, copies of W-4's) to verify information reported quarterly to the Department.
- 4) The Department's program monitoring and annual auditing will

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include verification of the Grantee's report on the status of each consummated loan.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 120.130 Limitations On Use of CSBG Funds

CSBG funds shall not be used by the State or its Grantees for the purchase or improvement of land or the purchase, construction, or permanent improvement (other than low-cost residential weatherization or other energy-related home repairs) of any building or other facility. The U.S. Department of Health and Human Services may waive this limitation upon the State's request for such a waiver if the request describes extraordinary circumstances to justify the purchase of land or the construction of facilities (or the making of permanent improvements) and that permitting the waiver will contribute to the State's ability to carry out the purposes of this Act.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED RULES

1) Heading of the Part: Relocation Assistance and Payments Program

2) Code Citation: 17 Ill. Adm. Code 2575

3) Section Numbers: Proposed Action:

2575.10

New Section

2575.15

New Section

4) Statutory Authority: Implementing and authorized by Sections 1 through 5 of the Displaced Person Relocation Act (310 ILCS 40/1-5), Section 3 of the State Forest Act (525 ILCS 40/3), Section 2 of the State Parks Act (20 ILCS 835/2), Section 1.9 of the Wildlife Code (520 ILCS 5/1.9) and Section 7.05 of the Illinois Natural Areas Preservation Act (525 ILCS 30/7.05).

5) A Complete Description of the Subjects and Issues Involved: This Part provides a means for providing relocation services and a means of making moving cost payments, replacement housing cost payments, and other expense payments to displaced persons or businesses.

6) Will this rulemaking replace any emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? Yes

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price

Department of Natural Resources

524 S. Second Street, Room 430

Springfield, IL 62701-1787

(217) 782-1809

12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED RULES

TITLE 17: CONSERVATION
 CHAPTER 1: DEPARTMENT OF CONSERVATION
 SUBCHAPTER 1: ADMINISTRATIVE SERVICES

PART 2575
 RELOCATION ASSISTANCE AND PAYMENTS PROGRAM

Section
 2575.10 Purpose
 2575.15 Incorporation by Reference

AUTHORITY: Implementing, and authorized by Sections 1 through 5 of the Displaced Person Relocation Act (310 ILCS 40/1-5), Section 3 of the State Forest Act (525 ILCS 40/3), Section 2 of the State Parks Act (20 ILCS 835/2), Section 1.9 of the Wildlife Code (520 ILCS 5/1.9) and Section 7.05 of the Illinois Natural Areas Preservation Act (525 ILCS 30/7.05).

SOURCE: Adopted at 19 Ill. Reg. _____, effective _____.

Section 2575.10 Purpose

The purpose of this Part is to provide for relocation and reestablishment of persons, businesses, farm operations and nonprofit organizations displaced as a result of the acquisition of land for State conservation projects. This Part is intended to establish a means of providing relocation services and of making moving cost payments, replacement housing cost payments, and other expense payments in order that such displaced persons or businesses do not suffer disproportionate injuries as a result of programs designed to assure compliance with federal requirements in order to assure federal participation on federally-aided projects.

Section 2575.15 Incorporation by Reference

Procedures for relocation assistance and payments shall be the same as found in Title 49 of the Code of Federal Regulations, Part 24, as published in the Federal Register on March 2, 1989 and amended in the Federal Register on April 30, 1993 (no incorporations in this Part include later amendments or editions).

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: The Taking of Wild Turkeys - Spring Season
- 2) Code Citation: 17 Ill. Adm. Code 710
- 3) Section Numbers: Proposed Action:

710.10	Amendments
710.20	Amendments
710.25	Amendments
710.30	Amendments
710.50	Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code (520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11).
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update season dates and regulations for the 1996 season.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

 Jack Price
 Department of Natural Resources
 524 S. Second Street, Room 430
 Springfield, IL 62701-1797
 (217) 782-1809
- 12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.
- 13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF CONSERVATION
 SUBCHAPTER b: FISH AND WILDLIFE

PART 710

THE TAKING OF WILD TURKEYS - SPRING SEASON

Section	
710.5	Hunting Zones
710.10	Hunting Seasons
710.20	Statewide Turkey Permit Requirements
710.21	Turkey Permit Requirements - Special Hunts (Renumbered)
710.22	Turkey Permit Requirements - Landowner/Tenant Permits
710.25	Turkey Permit Requirements - Special Hunts
710.30	Turkey Hunting Regulations
710.40	Other Regulations (Repealed)
710.50	Regulations at Various Department Owned or Managed Sites
710.60	Releasing or Stocking of Turkeys

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984; amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 14 Ill. Reg. 663, effective January 2, 1990; amended at 15 Ill. Reg. 4161, effective March 4, 1991; amended at 16 Ill. Reg. 1843, effective January 17, 1992; amended at 17 Ill. Reg. 3184, effective March 2, 1993; amended at 18 Ill. Reg. 1156, effective January 18, 1994; emergency amendment at 18 Ill. Reg. 3751, effective March 1, 1994, for a maximum of 150 days; emergency expired July 29, 1994; amended at 19 Ill. Reg. 2450, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5312, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. _____, effective _____.

Section 710.10 Hunting Seasons

- a) Northern Zone Season Dates:
 1st Season: Monday, April 15 to Friday, April 19, 1996 to 1995
 2nd Season: Saturday, April 20 to Thursday, April 25, 1996 to 1995
 3rd Season: Friday, April 26 to Friday, May 3, 1996 to 1995

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- 4th Season: Saturday, May 4 to Wednesday, May 15, 1996 to 1995
 b) Southern Zone Season Dates:
 1st Season: Monday, April 8 to Friday, April 12, 1996 to 1995
 2nd Season: Saturday, April 13 to Thursday, April 18, 1996 to 1995
 3rd Season: Friday, April 19 to Friday, April 26, 1996 to 1995
 4th Season: Saturday, April 27 to Wednesday, May 3, 1996 to 1995

c) Open Counties:
 NORTHERN ZONE

Adams
 Brown
 Bureau
 Calhoun
 Carroll
 Cass
 Clark
 Coles
 Cumberland
 Fulton
 Greene
 Hancock
 Henderson
 Jersey
 Jo Daviess
 Knox
 Lee
 Macoupin
 Marshall-Putnam

Mason
 McDonough
 Menard
 Mercer
 Montgomery
 Morgan
 Ogle
 Peoria
 Pike
 Rock Island
 Schuyler
 Scott
 Shelby
 Stephenson

to east of Illinois - River only, north of State Highway 17 and south of the McNabb Backtop - County Road 500 - N-7 only

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Tazewell
 Vermilion
 Whiteside
 Winnebago
 Woodford

SOUTHERN ZONE
 Alexander
 Bond
 Clay
 Clinton
 Crawford
 Effingham
 Fayette
 Hamilton

Gallatin-Hardin

Jackson
 Jasper
 Jefferson
 Johnson
 Lawrence
 Madison
 Marion
 Monroe
 Perry
 Pope

Pulaski
 Randolph
 Richland
 Saline
 St. Clair
 Union
 Washington
 Wayne
 Williamson

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 710.20 Statewide Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Natural Resources ~~Conservation~~ for a fee of \$15.00. Non-resident turkey hunters shall be charged \$75.00 for the first wild turkey hunting permit, and \$25.00 for each additional permit. Residents, except those exempted by Section 3.1 of the Wildlife Code (520 ILCS 5/3.1) are also required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT

valid only in the county or area designated on the permit.
 Applications for wild turkey permits must be mailed to:

Department of Natural Resources ~~Conservation~~ - Turkey
 524 S. Second Street, Room 210
 P.O. Box 19446

Springfield, Illinois 62794-9446

- b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 4 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.
- c) Applications from Illinois residents will be accepted from the first working day after New Year's Day until the tenth working day of the month. Applications received in the permit office that are postmarked after the tenth working day will be returned and will not be included in the computerized drawing. All requests must be on an official application form. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield in which the first choice of seasons will be allocated before the second or third choices are considered. Applicants rejected in this drawing will receive preference in the next year's drawing for spring season permits subject to guidelines outlined in subsection (f).
- d) Permits not issued during the computerized drawing will be available in a random daily drawing beginning the first Wednesday after February 10. ~~Starting dates of the random-daily-drawing will be publicly announced.~~ All hunters not receiving a permit in the computerized drawing and non-residents may apply at this time for the available permits.
- e) Any permits not issued as of the second Monday in March will also be available in a random daily drawing to those hunters who have previously received one permit.
- f) The following criteria must be met to obtain preference in the computerized drawing:
- 1) The applicant must apply using the official agency application.
 - 2) The applicant must be a resident of the State, be eligible to receive a spring turkey permit, and not had turkey hunting privileges revoked.
 - 3) The applicant must apply for the same county and season choices which he/she listed on the previous year's application. Preference will not be granted for special hunt areas as listed in Section 710.25 or for permit areas listed in Section 710.50(C).
- g) A \$3.00 service fee will be charged for replacement permits issued by the Department.
- h) It shall be unlawful to:

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- 1) Submit applications before the second Monday in March for receiving more than one permit for the same person, and thereafter, submittal of applications for receiving more than three permits for the same person. Applicants may apply for up to two additional permits prior to the second Monday in March if the application and the outside of the envelope are marked "Application for March Drawing - Additional Permit." Such applications will not be processed until the second Monday in March.
- 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 710.25 Turkey Permit Requirements - Special Hunts

- a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for turkey hunting, which issue turkey hunting permits through the statewide lottery process. The Permit Office issues turkey hunting permits through a computerized drawing for sites listed below, in addition to the Department-owned or -managed sites listed in Section 710.50(c).

Savanna Army Depot (Jo Daviess County)

- b) Each applicant must enclose a separate fee (check or money order) payable to the Department of Natural Resources Conservation, or the application will be returned. Applicants should not send cash with their applications. The Department will not be responsible for cash sent though the mail.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 710.30 Turkey Hunting Regulations

It is unlawful:

- a) to use live turkey decoys, recorded calls, dogs, or bait (an area is considered as baited during the presence of and for 10 consecutive days following the removal of the bait);
- b) to take any wild turkey except a hen with a visible beard or a gobbler (male);
- c) to take, or attempt to take, more than three wild turkeys during the spring season, one must have a valid permit for each turkey that is taken;

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- d) to use any weapon except a shotgun or bow and arrow. #4 shot is the largest and #7 1/2 is the smallest size shot that may be legally used. Archers may use a long, recurved, or compound bow with a minimum pull of 40 pounds at some point within a 28-inch draw; an arrow with a metal barbed broadhead that cannot pass through a 7/8 inch diameter hole is the only legal arrow. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal. All other bows and arrows, including electronic arrow tracking systems, are illegal;
- e) to hunt except from 1/2 hour before sunrise to noon during each day of the season;
- f) for any person having taken the legal limit of wild turkey(s) to further participate with a weapon in any hunting party for the purpose of taking additional wild turkeys;
- g) for any person to possess while in the field during wild turkey season any turkey permit issued to another person (permits are non-transferable);
- h) to transport or leave a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon kill and before the turkey is moved, transported or field dressed. The wild turkey shall be taken whole (or field dressed) to the designated check station for the county in which it was killed, or the closest check station, by the hunter in person, by 2:00 P.M. the same day it was killed. It will be checked, tagged and recorded by the Department at the check station;
- i) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.;
- j) for any person to hunt wild turkeys without possessing a Wild Turkey Hunting Permit which shall include the hunter's signature, date of birth, Firearm Owner's Identification number (unless exempt), hunting license number (unless exempt) and physical description recorded on the permit and carried on the person while hunting;
- k) for any person to use a turkey call that imitates sounds made by a turkey or to attempt to call a turkey by making these sounds while in the field from March 15 through the day before turkey season in counties open to turkey hunting.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 710.50 Regulations at Various Department Owned or Managed Sites

- a) Hunters must sign in/sign out at all sites in subsections (b) and (c) which are followed by a (1).
- b) Statewide regulations shall apply for the following sites:
Anderson Lake Conservation Area (1)

Argyle Lake State Park (1)

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Cache River State Natural Area ~~Bottle-Black-Slough--Hunting--Area~~
(1)

Campbell Pond Wildlife Management Area

Carlyle Lake Wildlife Management Area

Dog Island Wildlife Management Area (1)

Fort de Chartres State Historic Site (muzzleloading shotgun or
archery only) (1)

Franklin Creek State Park (1)

Giant City State Park (1)

~~Green-River-State-Wildlife-Area--(1)~~

I-24 Wildlife Management Area (1)

Jubilee State Park (archery only) (1)

Kaskaskia River State Fish and Wildlife Area (except for that
area lying north of Highway 154, east of the Kaskaskia River, and
south of the Risdon School Road and Beck's Landing access road)
(1)

Kinkaid Lake Fish and Wildlife Area (1)

Mark Twain National Wildlife Refuge, Gardner Division

Mississippi River Fish and Wildlife Area (Pools 21, 22, 24, 25,
26)

Mississippi River Pools 16, 17 & 18

Oakford Conservation Area

Pere Marquette State Park (designated area only) (1)

~~Pike-County-Conservation-Area--(1)~~

Ray Norbut Fish and Wildlife Area (1)

Rend Lake State Fish and Wildlife Area

~~Sam-Dale-Lake-Conservation-Area--(1)~~

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Saline County Fish and Wildlife Area (1)

Sangamon Conservation Area

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area - Firing Line Unit and Public
Hunting Area only (1)

Weinberg-King State Park (1)

Wildcat Hollow State Forest (1)

c) Statewide regulations shall apply except that all hunting is allowed
by site-specific permit only. The Department of Natural Resources
~~Conservation~~ allocates permits for these areas through the lottery
process set forth in Section 710.20. This permit is only valid for
the specific site and season indicated on the permit.
Beaver Dam State Park

Big Bend State Fish and Wildlife Area

Big River State Forest (1)

Castle Rock State Park (1)

Chauncey Marsh

Crawford County Conservation Area

Fern Clyffe State Park (1)

Fox Ridge State Park (first 2 seasons only) (1)

Hamilton County Conservation Area

Hidden Springs State Forest (first 2 seasons only) (1)

Kickapoo State Park (1)

Lake Shelbyville-Corps of Engineers Managed Lands (Shelby County)

Cowden Miller State Forest (1)

Yackinaw River Fish and Wildlife Area (1)

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Middlefork Fish and Wildlife Management Area (1)

Mississippi Palisades State Park (1)

Newton Lake State Fish and Wildlife Area

Panther Creek Conservation Area ††

Pere Marquette State Park (Piasa, Quotoga, Potawatomi Camp Areas)
(no hunting allowed on weekends)

Pyramid State Park (1)

Ramsey Lake State Park (1)

Randolph County Conservation Area (1)

Red Hills State ParkSam Dale Lake Conservation Area (1)Sam Parr State Park

Sand Ridge State Forest ††

Sanganois Conservation Area (Squirrel Timber Unit) (1)

Siloam Springs State Park (1)

Site M

Stephen A. Forbes State Park (1)

Tapley Woods State Natural Area (1)

Ten Mile Creek Fish and Wildlife Area

Witkowsky State Wildlife Area (1)

Wolf Creek State Park (first 2 seasons only) (1)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Determination Of Unemployment Contributions2) Code Citation: 56 Ill. Adm. Code 27703) Section Number: Proposed Action:

2770.100 Amended Section

2770.110 Amended Section

4) Statutory Authority: (820 ILCS 405/1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700 and 1701).5) A Complete Description of the Subjects and Issues Involved: The proposed amendments to Part 2770 update the reference manual citation for the book used in determining an employer's Standard Industrial Code and announce the 1996 contribution rates for newly liable employers by classification within their Standard Industrial Code. In keeping with our commitment to the Joint Committee on Administrative Rules, we are also repealing the obsolete subsection with the rates for 1990 as it is no longer needed.6) Will the proposed amendment replace an emergency amendment currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this Rule contain incorporations by reference? Yes .9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives: Not applicable.11) Time, Place, and Manner in which interested persons may comment on this Proposed rulemaking: Comments may be submitted during the 45 day 1st Notice Period that begins with publication in this issue of the Register to:

Gregory J. Ramel, Deputy Legal Counsel
 Illinois Department of Employment Security
 401 South State Street - 2nd Floor South
 Chicago, IL 60605
 312-793-4240

12) Initial Regulatory Flexibility Analysis:

Types of small businesses, small municipalities and not for profit corporations affected: The proposed rules affect all businesses equally.

Reporting, bookkeeping or other procedures required for compliance: None.

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Types of professional skills necessary for compliance: None.

- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: It is already provided for in Section 2770.105 that the Director shall annually announce the Standard Industrial Code rates for the upcoming year. Since 1984, the Director has been doing so through an amendment to Section 2770.110 so it was thought that it would be redundant to include this rulemaking in a Regulatory Agenda.

The full text of the Proposed Amendments begin on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER C: RIGHTS AND DUTIES OF EMPLOYERS

PART 2770
DETERMINATION OF UNEMPLOYMENT CONTRIBUTIONS

SUBPART B: STANDARD INDUSTRIAL CLASSIFICATION

Section	
2770.100	Industrial Classification
2770.105	Contribution Rate For Non Experience-Rated Employers
2770.110	Average Contribution Rates By Standard Industrial Classification (SIC) Codes

SUBPART C: ALTERNATIVE BENEFIT WAGE RATIO (Repealed)

Section	
2770.150	Eligibility To Elect The Alternative Benefit Wage Ratio (Repealed)
2770.155	Approval Of Election Of The Alternative Benefit Wage Ratio (Repealed)
2770.160	Adjustment Of Benefit Wage Charges And The Determination Of The Alternative Benefit Wage Ratio (Repealed)
2770.165	Revocation Of Election Of Alternative Benefit Wage Ratio (Repealed)
2770.170	Appeals (Repealed)

SUBPART E: TRANSFER OF BENEFIT WAGES FROM BASE PERIOD TO SUBSEQUENT EMPLOYER (Repealed)

Section	
2770.400	Definitions (Repealed)
2770.405	Application Of Base Period Wages (Repealed)
2770.410	Restriction On Benefit Wage Transfers (Repealed)
2770.415	Benefit Wage Transfer Procedural Requirements (Repealed)
2770.420	Petition For Hearing (Repealed)

SUBPART F: BENEFIT WAGE CANCELLATIONS

Section	
2770.501	Effective Date Of Benefit Wage Cancellations Pursuant To Section 1508.1 Of The Act

TABLE A General SIC Classifications

AUTHORITY: Implementing and authorized by Sections 1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700, and 1701 of the Unemployment Insurance Act (820 ILCS 405/1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700 and 1701).

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SOURCE: Emergency rules adopted as 56 Ill. Adm. Code 600; Subpart C at 8 Ill. Reg. 550, effective January 1, 1984, for a maximum of 150 days; adopted at 8 Ill. Reg. 8208, effective May 30, 1984; recodified from 56 Ill. Adm. Code 600; Subpart C at 8 Ill. Reg. 15030; emergency amendments at 8 Ill. Reg. 15086, effective August 8, 1984, for a maximum of 150 days; emergency amendments at 8 Ill. Reg. 22139, effective October 26, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 24117, effective November 30, 1984; amended at 9 Ill. Reg. 4507, effective March 25, 1985; amended at 10 Ill. Reg. 6935, effective April 14, 1986; amended at 10 Ill. Reg. 21683, effective December 15, 1986; amended at 11 Ill. Reg. 9878, effective May 11, 1987; emergency amendments at 12 Ill. Reg. 210, effective January 1, 1988, for a maximum of 150 days, expired May 30, 1988; amended at 12 Ill. Reg. 11213, effective June 20, 1988; amended at 12 Ill. Reg. 12473, effective July 15, 1988; amended at 12 Ill. Reg. 18143, effective October 27, 1988; amended at 12 Ill. Reg. 20477, effective November 28, 1988; amended at 13 Ill. Reg. 11507, effective June 29, 1989; amended at 14 Ill. Reg. 2038, effective January 19, 1990; amended at 14 Ill. Reg. 18280, effective October 30, 1990; amended at 15 Ill. Reg. 172, effective December 28, 1990; amended at 15 Ill. Reg. 8553, effective May 24, 1991; amended at 16 Ill. Reg. 118, effective December 20, 1991; amended at 17 Ill. Reg. 295, effective December 28, 1992; amended at 18 Ill. Reg. 250, effective January 1, 1994; amended at 18 Ill. Reg. 17473, effective January 1, 1995; amended at 19 Ill. Reg. _____, effective _____.

SUBPART B: STANDARD INDUSTRIAL CLASSIFICATION

Section 2770.100 Industrial Classification

a) Each employer subject to the Act shall be assigned an industrial classification number based on its primary activity.

1) Each employer shall be assigned to a major Economic Division based on the first two digits of the industrial classification number:

Digits	Economic Division
01-09	A. Agriculture, Forestry, Fishing
10-14	B. Mining
15-17	C. Construction
20-39	D. Manufacturing
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services
50-51	F. Wholesale Trade
52-59	G. Retail Trade
60-67	H. Finance, Insurance, Real Estate
70-89	I. Services
91-97	J. Public Administration
99	K. Nonclassifiable Establishments

2) The methodology for the above classifications shall be based upon

DEPARTMENT OF EMPLOYMENT SECURITY

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the Standard Industrial Classification Manual, U.S. Office of Management and Budget (1987) (1982) and supplemented by the U.S. Bureau of Labor Statistics, January 1989, which shall be incorporated and adopted by reference.

3) The general classifications to be used shall be those set forth in Table A.

b) Each employer not eligible for an experience rate and in an Economic Division where the mean average contribution rate for experience rated employers is greater than the rates set forth in Section 2770.105(a)(1) or (2) or (3), as applicable, shall be notified in writing of his industrial classification and rate of contribution.

c) An industrial classification which is properly assigned pursuant to subsection (a)(2) at the beginning of each calendar year or the date of liability, whichever is later, shall be final and conclusive for rate determination purposes for that entire calendar year.

(Source: Amended at 19 Ill. Reg. _____, effective _____, at 19 Ill. Reg. _____, effective _____.)

Section 2770.110 Average Contribution Rates By Standard Industrial Classification (SIC) Codes

at the average contribution rate for each Economic Division existing the fund building rate as set forth in Section 1506.3 of the Act for calendar year 1990, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3-36
10-14	B. Mining	4-74
15-17	C. Construction	4-14
20-39	D. Manufacturing	2-78
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2-84
50-51	F. Wholesale Trade	2-84
52-59	G. Retail Trade	2-14
60-67	H. Finance, Insurance, Real Estate	1-14
70-89	I. Services	1-64
91-97	J. Public Administration	2-34
99---	K. Nonclassifiable Establishments	2-24

1) The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1991, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:

Digits	Economic Division	Rate
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01-09	A. Agriculture, Forestry, Fishing	3.1%
10-14	B. Mining	4.3%
15-17	C. Construction	3.7%
20-39	D. Manufacturing	2.2%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2.5%
50-51	F. Wholesale Trade	1.7%
52-59	G. Retail Trade	1.8%
60-67	H. Finance, Insurance, Real Estate	1.3%
70-89	I. Services	1.5%
91-97	J. Public Administration	2.0%
99	K. Nonclassifiable Establishments	2.1%
<u>d)†</u> The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1992, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:		
Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	2.9%
10-14	B. Mining	3.8%
15-17	C. Construction	3.5%
20-39	D. Manufacturing	2.0%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2.3%
50-51	F. Wholesale Trade	1.5%
52-59	G. Retail Trade	1.6%
60-67	H. Finance, Insurance, Real Estate	1.2%
70-89	I. Services	1.3%
91-97	J. Public Administration	1.7%
99	K. Nonclassifiable Establishments	2.1%

c)† The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1993, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.0%
10-14	B. Mining	3.6%
15-17	C. Construction	3.7%
20-39	D. Manufacturing	2.2%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2.2%

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50-51	F. Wholesale Trade	1.6%
52-59	G. Retail Trade	1.4%
60-67	H. Finance, Insurance, Real Estate	1.2%
70-89	I. Services	1.3%
91-97	J. Public Administration	1.5%
99	K. Nonclassifiable Establishments	1.8%
<u>d)†</u> The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1994, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:		
Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.5%
10-14	B. Mining	4.1%
15-17	C. Construction	4.1%
20-39	D. Manufacturing	2.7%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2.6%
50-51	F. Wholesale Trade	2.0%
52-59	G. Retail Trade	1.6%
60-67	H. Finance, Insurance, Real Estate	1.4%
70-89	I. Services	1.5%
91-97	J. Public Administration	1.6%
99	K. Nonclassifiable Establishments	1.9%

e)† The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1995, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	4.0%
10-14	B. Mining	4.5%
15-17	C. Construction	5.0%
20-39	D. Manufacturing	3.2%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	3.0%
50-51	F. Wholesale Trade	2.4%
52-59	G. Retail Trade	1.9%
60-67	H. Finance, Insurance, Real Estate	1.7%

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	Estate	
70-89	I. Services	1.8%
91-97	J. Public Administration	1.6%
99	K. Nonclassifiable Establishments	2.5%

5) The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1996, as determined by the application of Section 2770.105(a)(4) of this Part, shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.3%
10-14	B. Mining	4.3%
15-17	C. Construction	4.7%
20-39	D. Manufacturing	2.8%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	2.7%
50-51	F. Wholesale Trade	2.2%
52-59	G. Retail Trade	1.7%
60-67	H. Finance, Insurance, Real Estate	1.5%
70-89	I. Services	1.7%
91-97	J. Public Administration	1.6%
99	K. Nonclassifiable Establishments	2.4%

(Source: Amended at 19 Ill. Reg. _____, effective _____)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Fire Prevention and Safety
- 2) Code Citation: 41 Ill. Adm. Code 100
- 3) Section Numbers: Proposed Action:
100.7 Amendment
- 4) Statutory Authority: Section 9 of the Fire Investigation Act (425 ILCS 25/9)
- 5) A Complete Description of the Subjects and Issues Involved: By this Notice of Proposed Amendments, the Office is updating Part 100 to allow owners of day care home and "group" day care home occupancies alternate but "equivalently safe" methods of complying with the currently existing basement exiting requirements for such facilities.

Current rules directly reference the 1985 and 1991 editions of the National Fire Protection Association's Standard #101 "Life Safety Code" which permit only a "direct exit" from occupied basement day care home and group day care home occupancies. This amendment will permit the alternatives of (a) a one-hour fire resistant path of egress through the grade level of the home or (b) automatic fire sprinkler protection of the path of egress through the grade level of the home combined with multi-station smoke detection on all levels of the home, to serve as equivalently safe methods of code compliance for exiting from basement levels of these occupancies.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? Yes. The amendment references National Fire Protection Association Standard 13D *Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes* - 1994 edition, to define required design, components, and installation methods of residential sprinklers if the option of sprinkler installation is chosen.
- 9) Are there any other proposed rulemakings pending on this part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not expand a mandate upon local governments, small municipalities or non-profit organizations. The rulemaking allows additional options for compliance with existing rules.
- 11) Time, Place and Manner in which interested persons may comment on this

OFFICE OF THE STATE FIRE MARSHAL

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Proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Jack Ahern
Deputy State Fire Marshal
Division of Fire Prevention
Office of the State Fire Marshal
100 W. Randolph Street, Suite 11-800
Chicago, IL 60601
(312) 814-2693

Comments received within 45 days of the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Day care homes and group day care homes.

B) Reporting, bookkeeping or other procedures required for compliance: Compliance with existing rules or the proposed amendments is determined by DCFS representatives and/or fire prevention inspectors of the Office of the State Fire Marshal as part of scheduled re-licensing inspections of day care home occupancies.

C) Types of professional skills necessary for compliance: Installation of smoke detection systems and/or residential fire sprinkler systems, as prescribed by one of the proposed equivalencies, may require day care home owners to employ electricians, licensed alarm contractors, and/or fire sprinkler installation contractors. Some jurisdictions may require such work to be done by locally licensed contractors.

13) This rule was not included on either of the 2 most recent agendas because: The amendment serves to allow owners of home day care occupancies alternate but "equivalently safe" methods of complying with the currently existing basement exiting requirements for day care homes. The amendment is being proposed in accordance with Recommendations of JCAR at their February 7, 1995 meeting and with the prior agreement of the Department of Children and Family Services which serves as the licensing agency for these occupancies.

The full text of the Proposed Amendment begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENT

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

PART 100

FIRE PREVENTION AND SAFETY

Section

- 100.1 Introduction
- 100.3 Title, Jurisdiction, Powers, Penalties, Right of Entry, Existing Structures
- 100.4 Building Construction Types
- 100.5 Fire Areas
- 100.7 Adoption of NFPA 101, Life Safety Code by Reference
- 100.110 Modification of N.F.P.A. 101 (1985) for Existing Day Care Facilities and Programs

APPENDIX A Modification of Standards Referenced in NFPA 101

AUTHORITY: Implementing and authorized by Section 9 of the Fire Investigation Act (425 ILCS 25/9).

SOURCE: Illinois Rules and Regulations for Fire Prevention and Safety, amended September 24, 1973; amended January 8, 1974; Rules and Regulations relating to Fireworks filed October 8, 1974; codified at 5 Ill. Reg. 10673; amended at 6 Ill. Reg. 13021, effective December 15, 1982; amended at 7 Ill. Reg. 16399, effective January 1, 1984; amended at 9 Ill. Reg. 1009, effective July 1, 1985; Sections 100.81, 100.82 and 100.85 recodified to 41 Ill. Adm. Code 105.5, 105.10 and 105.20 at 11 Ill. Reg. 5992; Part repealed, new Part adopted at 12 Ill. Reg. 8017, effective August 1, 1988; emergency amendment at 13 Ill. Reg. 582, effective January 3, 1989, for a maximum of 150 days; emergency expired June 2, 1989; amended at 13 Ill. Reg. 12547, effective July 14, 1989; amended at 17 Ill. Reg. 19127, effective November 1, 1993; amended at 19 Ill. Reg. _____, effective _____.

Section 100.7 Adoption of NFPA 101, Life Safety Code by Reference

a) For the purposes of subsections (b) and (c) of this Section:

- 1) "New facility" shall mean either a facility constructed after November 1, 1993, or any facility the occupancy (use) classification of which changes after November 1, 1993. Any alterations or installations of new equipment, either regulated by these rules or outlined in the Life Safety Code, shall be accomplished as nearly as practicable in conformance with the requirements for new construction.
- 2) "Existing facilities" are those not classified as "new facilities" by subsection (a)(1) of this Section.
- b) Applicable to existing facilities, as defined in subsection (a) of this Section, the Office of the State Fire Marshal adopts the "Code for Safety to Life from Fire in Buildings and Structures" as established

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENT

by the National Fire Protection Association (NFPA 101) 1985 edition, Life Safety Code. This incorporation does not include any later amendments or editions.

- c) Applicable to any new facilities, as defined in subsection (a) of this Section, the Office of the State Fire Marshal adopts the following provisions of the "Code for Safety to Life from Fire in Buildings and Structures" as published by National Fire Protection Association (NFPA 101) 1991 edition, Life Safety Code to the extent those provisions do not conflict with the provisions of this Part. This incorporation does not include any later amendments or editions.

- Chapter 1. Administrative
- Chapter 2. Fundamental Requirements
- Chapter 3. Definitions
- Chapter 4. Classification of Occupancy and Hazard of Contents
- Chapter 5. Means of Egress
- Chapter 6. Features of Fire Protection
- Chapter 7. Building Service and Fire Protection Equipment
- Chapter 8. New Assembly Occupancies
- Chapter 10. New Educational Occupancies
- Chapter 12. New Health Care Occupancies
- Chapter 14. New Detention and Correctional Occupancies
- Chapter 16. New Hotels and Dormitories
- Chapter 18. New Apartment Buildings
- Chapter 20. Lodging or Rooming Houses
- Chapter 22. New Residential Board and Care Occupancies
- Chapter 24. New Mercantile Occupancies
- Chapter 26. New Business Occupancies
- Chapter 28. Industrial Occupancies
- Chapter 29. Storage Occupancies
- Chapter 30. Special Structures and High-Rise Buildings
- Chapter 31. Operating Features
- Chapter 32. Referenced Publications

- d) The Life Safety Code becomes the code for Fire Prevention and Safety subject to the modifications set forth in this Part. NFPA 101, Life Safety Code (1985 and 1991 Editions) is on file with the Office of the State Fire Marshal at the following locations:

1035 Stevenson Drive
Springfield, Illinois 62703-4259

State of Illinois Building
100 W. Randolph Street
Chicago, Illinois 60601

2209 West Main Street
Marion, Illinois 62959

Copies are available for purchase from:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENT

National Fire Protection Association
Batterymarch Park
Quincy MA 02269

- e) Modifications to the Life Safety Code

- 1) Child Care Facilities

- A) Day Care Centers. Those facilities regulated under Chapter 10-7 (Day-Care Centers) of the Life Safety Code shall include only:

- i) any facility licensed as a Day Care Center by the Department of Children and Family Services;
- ii) any unlicensed facility that regularly provides day care for less than 24 hours per day for more than 8 children in a family home, or more than 3 children in a facility other than a family home;
- iii) part day child care facilities, as defined in the Child Care Act of 1969.

- B) Day Care Homes. Those facilities regulated under Chapter 10-9 (Family Day-Care Homes) of the Life Safety Code shall include only:

- i) any facility licensed as a day care home by the Department of Children and Family Services;
- ii) any unlicensed facility that is a family home that receives more than 3 up to a maximum of 12 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12. This subsection does not affect facilities that receive only children from a single household.

- C) Group Day Care Homes. Those facilities regulated under Chapter 10-8 (Group Day-Care Homes) of the Life Safety Code shall include only:

- i) any facility licensed as a group day care home by the Department of Children and Family Services; or
- ii) any unlicensed facility that is a family home that receives more than 3 up to a maximum of 16 children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of 12.

- D) For purpose of determining the classification of a child care facility, current Department of Children and Family Services guidelines will be applied.

- 2) Child-to-Staff Ratios

Child-to-Staff ratios in day care facilities shall comply with 89 Ill. Adm. Code 406 and 407 and with the Child Care Act of 1969. Any conflicting provisions of the Life Safety Code are inapplicable.

- 3) One- and Two-Family Dwellings

OFFICE OF THE STATE FIRE MARSHAL

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Chapter 21 (One- and Two-Family Dwellings) is adopted as recommended guidelines only.

- 4) When clients occupy a level below the level of exit discharge in a day care home or group day care home occupancy, exiting shall be provided in accordance with the requirements of the applicable edition of the Life Safety Code, or with the following:

A) If an exit discharging directly to the outside at the basement level is not provided, and therefore occupants must traverse another level of the home to exit, the path of egress through the level of exit discharge shall be separated from the remainder of that level of the home by construction providing a minimum fire resistance rating of 1-hour, or

B) The home shall be equipped with smoke detectors permanently powered by the building's electrical system and wired so that the actuation of one detector will actuate all the detectors in the dwelling. At least one such smoke detector shall be located on each level of the occupancy (excluding unoccupied attics), and the path of egress through the level of exit discharge (from the basement door to the exterior door of the home) must be protected by automatic fire sprinklers. Listed residential sprinklers shall be used and the installation shall be made in accordance with National Fire Protection Association Standard #13D, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes - 1994 edition.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Special Waste Hauling
- 2) Code Citation: 35 Ill. Adm. Code 809
- 3) Section Numbers: Proposed Action:
809.401 Amended
- 4) Statutory Authority: 415 ILCS 5/27
- 5) A Complete Description of the Subjects and Issues Involved: A complete description of this Section 27 general rulemaking is included in the Board's September 7, 1995 opinion and order in docket R95-11, which is available from the address below. Specifically, the amendment proposed to Section 809.401 would delete the current provision found at that Section and replace it with new language which would allow owners/operators of vehicles that transport special waste to maintain the special waste hauling permit issued by the Illinois Environmental Protection Agency within the vehicle, rather than to require that a permit number be displayed on the vehicle's exterior.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Send written comments concerning R95-11 within 45 days of publication in the *Illinois Register* to:

Dorothy Gunn
Clerk of the Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601
(312) 814-6931

and

Questions regarding these proposed amendments may be addressed to:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE G: WASTE DISPOSAL
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER 1: SOLID WASTE AND SPECIAL WASTE HAULING
 PART 809
 SPECIAL WASTE HAULING

SUBPART A: GENERAL PROVISIONS

Section
 809.101
 809.102
 809.103

Authority, Policy and Purposes
 Severability
 Definitions

SUBPART B: SPECIAL WASTE HAULING PERMITS

Section

809.201 Special Waste Hauling Permits - General
 809.202 Applications for Special Waste Hauling Permit - Contents
 809.203 Applications for Special Waste Hauling Permit - Signatures and Authorization
 809.204 Applications for Special Waste Hauling Permit - Filing and Final Action by the Agency
 809.205 Special Waste Hauling Permit Conditions
 809.206 Special Waste Hauling Permit Revision
 809.207 Transfer of Special Waste Hauling Permits
 809.208 Special Waste Hauling Permit Revocation
 809.209 Permit No Defense
 809.210 General Exemption from Special Waste Hauling Permit Requirements
 809.211 Exemptions for Special Waste Haulers

SUBPART C: DELIVERY AND ACCEPTANCE

Section

809.301 Requirements for Delivery of Special Waste to Haulers
 809.302 Requirements for Acceptance of Special Waste from Haulers

SUBPART D: VEHICLE NUMBERS AND SYMBOLS

Section

809.401 Vehicle Numbers
 809.402 Special Waste Symbols

SUBPART E: MANIFESTS, RECORDS AND REPORTING

Section

809.501 Manifests, Records, Access to Records, Reporting Requirements and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Musette H. Vogel
 Attorney to the Chairman
 Illinois Pollution Control Board
 600 South Second Street, Suite 402
 Springfield, IL 62704
 (217) 524-8509

(2) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 12, 1995
- B) Types of small businesses, small municipalities and not for profit corporations affected: Trucking companies that meet the definition of small businesses.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None
- (3) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendment begins on the next page:

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENT

Forms

SUBPART F: DURATION OF PERMITS AND TANK NUMBERS

Section 109.601 Duration of Special Waste Hauler Permits and Tank Numbers

SUBPART G: EMERGENCY CONTINGENCIES FOR SPILLS

Section 109.701 General Provision

SUBPART H: EFFECTIVE DATES

Section 109.801 Compliance Date
109.802 Exceptions

SUBPART I: HAZARDOUS (INFECTIOUS) HOSPITAL WASTE

Section 109.901 Definitions (Repealed)
109.902 Disposal Methods (Repealed)
109.903 Rendering Innocuous by Sterilization (Repealed)
109.904 Rendering Innocuous by Incineration (Repealed)
109.905 Recordkeeping Requirements for Generators (Repealed)
109.906 Defense to Enforcement Action (Repealed)

APPENDIX A Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 10, 13 and 22 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 10, 13, 22 and 27].

SOURCE: Adopted in R76-10, 33 PCB 131, at 3 Ill. Reg. 13, p. 155, effective March 31, 1979; emergency amendment in R76-10, 39 PCB 175, at 4 Ill. Reg. 34, p. 214, effective August 7, 1980, for a maximum of 150 days; emergency amendment in R80-19, 40 PCB 159, at 5 Ill. Reg. 270, effective January 1, 1981, for a maximum of 150 days; amended in R77-12(B), 41 PCB 369, at 5 Ill. Reg. 6384, effective May 28, 1981; amended in R80-19, 41 PCB 459, at 5 Ill. Reg. 5378, effective May 31, 1981; codified in R81-9, 53 PCB 269, at 7 Ill. Reg. 13640, effective September 30, 1983; recodified in R84-5, 58 PCB 267, from Subchapter n to Subchapter i at 8 Ill. Reg. 13198; amended in R83-13A at 14 Ill. Reg. 14076, effective August 15, 1990; amended in R91-18 at 16 Ill. Reg. 130, effective January 1, 1992; amended in R95-11 at 19 Ill. Reg. _____, effective _____.

SUBPART D: VEHICLE NUMBERS AND SYMBOLS

Section 809.401 Vehicle Numbers

The owner and operator of any vehicle, except truck tractors as defined in Subpart A, which is used to transport special waste shall list each such vehicle on the special waste hauling permit application. Upon issuance of a special waste hauling permit, the owner and operator of any such vehicle used to transport special waste shall maintain within the vehicle a legible photocopy of the special waste hauling permit. Issuance of the special waste hauling permit shall be disclosed by the owner and operator of the vehicle to any representative of the State of Illinois (including, but not limited to, the Agency), any generator(s) of the special waste, or any treatment, storage, or disposal facility which has handled, is handling, or will handle the special waste. Upon request by such representative, the photocopy shall be made available by the owner and operator of the vehicle for review. The owner and operator of the vehicle shall also comply with any otherwise applicable Federal regulations. Upon issuance of a special waste hauling permit, the owner and operator of any vehicle used to transport special waste except truck tractors as defined in Subpart A shall display a number issued by the Agency on opposite sides of the permitted vehicle following the words "Licensed Special Waste Hauler" in numbers and letters that shall not be less than two inches high and shall be removable only by destruction. Directly adjacent to said words and number, the vehicle owner and operator shall display a seal furnished by the Agency which shall designate the date on which the permit was issued.

(Source: Amended at 19 Ill. Reg. _____, effective _____.)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Private Detective, Private Alarm and Private Security Act of 1993

2) Code Citation: 68 Ill. Adm. Code 1240

3) Section Numbers: Proposed Action:

1240.10 Amendment
1240.15 Amendment
1240.16 Amendment
1240.40 Amendment
1240.41 Amendment
1240.46 Amendment

4) Statutory Authority: Section 50 of the Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 446/50]

5) A Complete Description of the Subjects and Issues Involved: Beginning October 1, 1995, fingerprint cards and the fingerprint processing fee no longer will be submitted to the Department of Professional Regulation by applicants from Illinois for private detective, private security contractor, private alarm contractor or security guard licenses. Instead, applicants will be required to contact the Illinois Department of State Police, or its designated agent, to schedule a fingerprint appointment. Verification of fingerprint screening will be submitted directly to the Department from the Illinois State Police. Applicants not residing in Illinois may submit fingerprint cards and the fingerprint processing fee to the Department. The language on fingerprinting procedures is amended in Sections 1240.10, 1240.15, 1240.16, 1240.40 and 1240.46. Section 1240.41 is amended to remove a redundancy.

6) Will these proposed amendments replace emergency amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney

DEPARTMENT OF PROFESSIONAL REGULATION

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320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800 Fax #: 217/782-7645

All written comments received within 45 days of this issue of the Illinois Register will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Private detectives, private security contractors, private alarm contractors and security guards who are required to obtain a state license.

B) Reporting, bookkeeping or other procedures required for compliance: Applicants residing in Illinois seeking to obtain licensure as private detectives, private security contractors, private alarm contractors or security guards will be required to contact the Illinois Department of State Police, or its designated agent, to schedule a fingerprint appointment.

C) Types of professional skills necessary for compliance: Training for detectives, security contractors, alarm contractors or security guards is required for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1240

PRIVATE DETECTIVE, PRIVATE ALARM AND
PRIVATE SECURITY ACT OF 1993

Section

- 240.5 Licensure Under Section 6 of the Act (Repealed)
- 240.7 Exemptions Under Section 30 of the Act
- 240.10 Application for Examination and Licensure - Private Detective and Private Security Contractor
- 240.15 Application for Examination and Licensure - Private Alarm Contractor
- 240.16 Registration of Proprietary Security Force
- 240.20 20-Hour Basic Training Course - General
- 240.25 20-Hour Basic Training Course - Security Guards and Alarm Runners
- 240.30 Firearm Training Course
- 240.35 Approval of Training Programs and Instructors
- 240.40 Permanent Employee Registration Cards
- 240.41 Refusal to Issue Employee Registration Card or Firearm Authorization Card Due to Criminal History Record Information
- 240.45 Firearm Authorization Cards
- 240.46 Recordkeeping Requirements
- 240.47 Reporting Requirements
- 240.48 Uniforms
- 240.50 Renewals
- 240.51 Requests for Duplicate Certificates
- 240.55 Endorsement
- 240.60 Restoration
- 240.65 Conduct of Hearings
- 240.66 Investigation by the Department
- 240.70 Granting Variances

AUTHORITY: Implementing the Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 446] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Detective Act, effective October 7, 1975; amended at 4 Ill. Reg. 22, p. 251, effective May 15, 1980; codified at 5 Ill. Reg. 11032; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7148, effective June 15, 1982; amended at 6 Ill. Reg. 8208, effective July 15, 1982; emergency amendment at 8 Ill. Reg. 903, effective January 6, 1984, for a maximum of 150 days; Part repealed and new Part adopted at 9 Ill. Reg. 18512, effective November 15, 1985; transferred from Chapter I, 68 Ill. Adm. Code 240 (Department of Registration and Education) to Chapter VII, 69 Ill. Adm. Code 240 (Department of Professional

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Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2967; amended at 12 Ill. Reg. 20143, effective November 18, 1988; amended at 15 Ill. Reg. 3051, effective February 11, 1991; amended at 17 Ill. Reg. 1579, effective January 26, 1993; amended at 19 Ill. Reg. 954, effective January 17, 1995; amended at 19 Ill. Reg. 11473, effective July 28, 1995; emergency amendment at 19 Ill. Reg. _____, effective September 8, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. _____, effective _____, effective _____.

Section 1240.10 Application for Examination and Licensure - Private Detective and Private Security Contractor

- a) Applications for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of the examination.
- b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 75(a)(7) of the Act. To determine such fulfillment, the following standards shall be applied:
 - 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
 - 2) "Full-time supervisor in a law enforcement agency" shall mean a sworn peace officer serving in a full-time position responsible for the direction and performance of other law enforcement personnel.
 - 3) "Investigator in a law enforcement agency" shall mean a sworn peace officer who serves in the capacity of a full time detective/investigator or above rank.
- c) The passing grade on the examination is 70 or above.
- d) Upon notification of successful completion of the examination, the applicant may apply to the Department for licensure. The application must be complete and must be accompanied by:
 - 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or 1-set of fingerprint cards issued by the Illinois Department of State Police and 1-set of fingerprint cards issued by the Federal Bureau of Investigation accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act.
 - 2) Verification, on forms provided by the Department, of full-time

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employment as a police officer, in lieu of fingerprints ~~fingerprints--cards~~. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers;

- 3) 2 photographs 1" x 1", taken within the 3 months preceding application;
 - 4) Proof of at least \$1,000,000 of liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
 - 5) The required fee(s) specified in Section 105 of the Act.
- a) A successful examination score shall be valid for 6 years. After 6 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1240.15 Application for Examination and Licensure - Private Alarm Contractor

- a) An individual seeking licensure by examination as a private alarm contractor shall make application to the Department, on forms provided by the Department, at least 60 days prior to the examination.

The application shall include proof acceptable to the Department that the applicant has fulfilled the required experience specified in Section 70(c) of the Act. To determine such fulfillment, the following standards shall be applied:

- 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
- 2) Applicants qualified to sit for the examination pursuant to Section 75(c) of the Act shall have private alarm experience which shall include, but not be limited to:

A) Private alarm contractor experience as defined in Section 5 of the Act gained while licensed or lawfully practicing in another jurisdiction with substantially equivalent licensure requirements as in effect in Illinois for 3 of the last 5 years; or

B) A minimum of 3 years experience out of the 5 years immediately preceding application as full-time manager or

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administrator for an agency licensed as a private alarm contractor agency, or for an entity that designs, sells, installs, services or monitors alarm systems which in the judgment of the Board satisfies standards of alarm industry competence. (Section 75(c)(8))

- b) The passing score on the examination is 70 or above.
- c) Upon notification of successful completion of the examination, the applicant may apply to the Department for licensure. The application shall include:

- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or 4-set-of fingerprint-cards-issued-by-the-Illinois-Department-of-State-Police--and--4-set-of-fingerprint-cards-issued-by-the-Federal-Bureau-of-Investigation--accompanied-by-the-specified-processing-fee-pursuant-to-Section-105(d)(13)-of-the-Act--or

- 2) Verification, on forms provided by the Department, of full-time employment as a peace officer in lieu of fingerprints fingerprint cards. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers.

- 3) 2 photographs 1" x 1" taken within the 3 months preceding application;

- 4) Proof of at least \$1,000,000 of liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and

- 5) The required fee(s) specified in Section 105 of the Act.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1240.16 Registration of Proprietary Security Force

- a) Pursuant to Section 24-2 of the Criminal Code of 1961, all commercial or industrial operations who employ 5 or more persons as armed

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security guards in accordance with paragraph (6) and all financial institutions who employ armed security guards in accordance with paragraph (8) shall register their security forces with the Department, on forms provided by the Department, which include the following:

- 1) Business name and address of the proprietary security force;
 - 2) Any doing business as (d/b/a) names of the proprietary security force;
 - 3) The type of business (sole proprietorship, partnership, corporation);
 - A) If a partnership, a listing of all partners and addresses;
 - B) If a corporation, a copy of Articles of Incorporation. If the corporation is a foreign corporation, a copy of the authorization to conduct business in Illinois;
 - 4) The number of armed employees; and
 - 5) The name and title of the security director who will be registering armed employees and who is responsible for the daily activities of the force.
- c) All armed security guard employees of the registered proprietary force in subsection (a) above shall be required to complete a 20 hour basic training course in accordance with Section 1240.125 and a 20-hour firearm training course in accordance with Section 1240.30.
- c) Each proprietary force shall be required to apply to the Department, on forms supplied by the Department, for the issuance of a firearm authorization card, in accordance with Section 1240.45(b) and (c), for each armed employee of the security force. Each application shall

- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or ~~fingerprints cards issued by the Illinois Department of State Police and one set of fingerprints cards issued by the Federal Bureau of Investigation.~~

- A) If the employee has state and federal fingerprints on file with the Department, additional fingerprints ~~fingerprints~~ **fingerprints-cards** are not required; or
- B) Verification, on forms, provided by the Department, of full-time employment as a peace officer in lieu of the fingerprint cards. Such verification shall be signed by his/her employer. A peace officer is defined as any person who, by virtue of his/her office or public employment is

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vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws and individuals holding a Class I or Class II Occupational License issued by the Illinois Gaming Board shall be considered peace officers;

- 2) Verification that the employee has completed the training required in subsection (b) above. If the employee's firearm training was completed more than two years before the request for a firearm authorization card, the employer shall submit evidence that the employee has requalified on the firing range within the one year preceding the request; and
- 3) The fee required in Section 105(d)(17) of the Act, ~~and~~
- ~~4) The required fingerprint processing fee for applicant.~~
- d) The firearm authorization card shall be retained by the employee for the term of employment. Upon termination of employment, the card shall be returned to the Department by the employer. In the event an employee fails to return a firearm authorization card to the employer, the employer shall notify the Department in writing why the card was not returned.
- e) No employee shall carry a firearm until the requirements of this Section have been satisfied.
- f) If an employee is employed by more than one proprietary security force, that employee must possess a separate firearm authorization card for each force which issues him/her a weapon.
- g) The Department may conduct an inspection to verify the information on the application prior to the proprietary security force being registered with the Department.
- h) All armored car companies registered as proprietary security forces pursuant to this Section shall have all employees who are required to carry a firearm authorization card to complete classroom and range training in weapons on an annual basis and shall maintain a current criminal background check in each employee's file as well as a training certificate. The armored car company shall make these documents available to the Department upon request.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1240.40 Permanent Employee Registration Cards

- a) Any person seeking employee registration under Section 80 of the Act shall file an application with the Department, in forms provided by the Department, along with the following:

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1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act: ~~1--set--of fingerprint-cards--issued--by--the--Illinois-Department-of-State Police-and-1-set-of-fingerprint-cards--issued--by--the--Federal Bureau-of-Investigation~~ or

2) Verification, on forms provided by the Department, of full-time employment as a peace officer in lieu of fingerprints ~~fingerpr~~ cards. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses and has satisfied the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers;

3) One 1" x 1" photograph taken within the 3 months preceding application; and

~~4) The required fingerprint-processing-fee; and~~

~~4)5) The required registration fee specified in Section 105 of the Act, made payable to the Department of Professional Regulation.~~

b) The application, verification of fingerprint processing and the registration fee shall be submitted to the Department prior to the applicant being scheduled to work.

c) If no record is found affecting the prints, the Department shall issue, to the applicant, a permanent employee registration card, which shall be valid for the period specified on the face of the card, and shall be renewable upon the conditions set forth in Section 1240.50 of this Part.

d) The employee registration card shall serve as proof to an employer that the bearer thereof is eligible for employment.

e) Persons who have no access to confidential or security information and who do not provide security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, ticket takers, elevator operators and reception personnel who have no access to confidential or security information. Confidential or security information is that which pertains to employee files, scheduling contracts or technical data.

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(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1240.41 Refusal to Issue Employee Registration Card or Firearm Authorization Card Due to Criminal History Record Information

a) For purposes of this Section, criminal history record information is defined as information collected by criminal justice agencies (defined in 20 ILCS 2630) on individuals consisting of identifiable descriptions and notation of arrests, detention, indictments, information, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision and release. The individual records must contain both information sufficient to identify the subject of the record and notations regarding any formal criminal justice transaction involving the identified individual.

b) In determining whether an applicant for a permanent employee registration card or firearm authorization card is unfit for such registration because of criminal history record information, the Department shall consider the following standards:

1) Whether the crime(s) was one of armed violence [720 ILCS 5/Art. 33A] or moral turpitude. Moral turpitude consists of:

A) Crimes involving dishonesty, false statement or some other element of deceit, untruthfulness or falsification (including, but not limited to perjury, inducement of perjury, false statement, criminal fraud, embezzlement, false pretense, forgery, counterfeiting and theft).

B) Drug offenses including but not limited to the Illinois Controlled Substances Act [720 ILCS 570/Art. 1] and Federal Drug Enforcement Laws, 21 U.S.C. 801 et seq.

C) Sex offenses including, but not limited to, all crimes listed in Article 11 of the Criminal Code of 1961 [720 ILCS 5/Art. XII].

2) Whether the crime is related to the detective, security or alarm profession.

3) Whether more than 10 years have elapsed since the date of completion of imposed sentence.

4) Whether the conviction was from a city ordinance violation or conviction for which a jail sentence was not imposed.

5) Whether the applicant has been sufficiently rehabilitated to warrant the public trust. The Department shall consider, but not be bound by, the following in considering whether an applicant has been presumed to be rehabilitated:

A) Completion of probation;

B) Completion of parole supervision; or

C) If no parole was granted, a period of 10 years has elapsed after final discharge or release from any term of imprisonment without any subsequent conviction.

c) If any one of the following factors exist, this outweighs the

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presumption of rehabilitation as defined in subsection (c) above:

- 1) Lack of compliance with terms of punishment (i.e., failure to pay fines or make restitution, violation of the terms of probation or parole);
 - 2) Unwillingness to undergo, or lack of cooperation in, medical or psychiatric treatment/counseling;
 - 3) Falsification of an application for registration with the Department;
 - 4) Failure to furnish to the Department additional information or failure to appear for a conference with the Department in relation to the applicant's application for registration.
- d) The following criminal history records shall not be considered in connection with an application for registration:
- 1) Juvenile adjudications;
 - 2) Records of arrest not followed by a conviction;
 - 3) Convictions overturned by a higher court;
 - 4) Convictions which have been the subject of a pardon or expungement.

- e) If determination is made that the applicant is unfit for registration, the applicant shall be so notified in writing that the Department intends to deny or intends to refuse to renew the permanent employee registration card or firearm authorization card. The applicant/licensee shall be given an opportunity to appear at a Department conference regarding the matter. Failure to appear at the conference shall result in the denial or the refusal to renew an applicant's permanent employee registration card ~~or firearm authorization card~~. If the applicant chooses not to attend the conference, he/she may request a formal hearing regarding such determination prior to final action by the Department in accordance with 68 Ill. Adm. Code 1110.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1240.46 Recordkeeping Requirements

- a) Each employer licensed under the Act shall maintain a file on each employee pursuant to Section 80 of the Act. The employee file shall be maintained by the agency for 2 years after termination of the employee, shall be accessible to duly authorized representatives of the Department with 24 hours prior notice, and shall contain the following information:

- 1) A photograph of the employee taken within 10 days of the date the employee commences employment. The photo shall be replaced each 3 calendar years;
- 2) The employee's statement required in Section 80(b) of the Act;
- 3) All correspondence or documents related to the character and integrity of the employee received by the employer from an

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- official source or law enforcement;
- 4) The employee identification card of a terminated employee pursuant to Section 80(h);
 - 5) A copy of the weapons discharge report, if applicable, during the course of the employee's duties or activities;
 - 6) Application for employment;
 - 7) Certification of Completion of Basic Training as provided in Sections 1240.20 and 1240.25 of this Part;
 - 8) Certificate of Firearm Training, if applicable (or notarized copy as provided in Section 1240.30 of this Part) verified by the licensee in charge;
 - 9) Copy of employee's Permanent Employee Registration Card and Firearm Authorization Card and active Firearm Owner's Identification Card (FOID), if applicable; and
 - 10) Certification or certified copy of requalification (Section 1240.30); and
 - 11) Copy of the verification of fingerprint processing from the Illinois Department of State Police or its designated agent.
- b) Private alarm contractors who provide monitoring services shall maintain a separate roster of the names of all licensed agencies and/or individuals, including license number, from whom they accept monitoring contracts or assignments. The roster shall be made available to the Department upon 24 hour notice. It shall be considered unprofessional conduct, subject to discipline by the Department, for a licensed alarm contractor or agency to accept monitoring contracts or assignments from an unlicensed entity.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

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2) Heading of the Part: Hospital Services2) Code Citation: 89 Ill. Adm. Code 1483) Section Number: Proposed Action:

148.210 Amendment

1) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

3) Complete Description of the Subjects and Issues Involved: The Department follows federal Medicare policies regarding the filing of hospital cost reports. Recent changes in federal regulations (42 CFR 413) pertaining to Medicare cost reports require that such reports be filed within 150 days after the close of the provider's fiscal year. These changes have been made to ensure that providers have an adequate amount of time to file complete and accurate cost reports. The proposed amendments to the Department's administrative rule affecting hospital cost reporting reflect the Medicare policies. Hospitals will be required to file Medicaid cost reports within 150 days after the close of the provider's fiscal year, rather than the current 90 days. Other changes eliminate the granting of due date extensions by the Department, since the period for submitting Medicaid cost reports is being considerably lengthened.

These proposed amendments are not expected to result in any budgetary changes.

6) Will these proposed amendments replace emergency amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.120	Amendment	July 21, 1995 (19 Ill. Reg. 10387)
148.140	Amendment	July 21, 1995 (19 Ill. Reg. 10387)
148.160	Amendment	July 21, 1995 (19 Ill. Reg. 10387)
148.170	Amendment	July 21, 1995 (19 Ill. Reg. 10387)
148.295	New Section	July 21, 1995 (19 Ill. Reg. 10387)
148.310	Amendment	July 21, 1995 (19 Ill. Reg. 10387)

10) Statement of Statewide Policy Objectives: These proposed amendments do

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not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
200 South Grand Ave., E., 3rd Floor
Springfield, IL 62762
(217) 524-3215

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:A) Types of small businesses, small municipalities and not for profit corporations affected: HospitalsB) Reporting, bookkeeping or other procedures required for compliance: NoneC) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 148
HOSPITAL SERVICES

- Section
- 148.10 Hospital Services
- 148.20 Participation
- 148.25 Definitions and Applicability
- 148.30 General Requirements
- 148.40 Special Requirements
- 148.50 Covered Hospital Services
- 148.60 Services Not Covered as Hospital Services
- 148.70 Limitation On Hospital Services
- 148.80 Organ Transplant Services Covered Under Medicaid (Repealed)
- 148.82 Organ Transplant Services
- 148.90 Heart Transplants (Repealed)
- 148.100 Liver Transplants (Repealed)
- 148.110 Bone Marrow Transplants (Repealed)
- 148.120 Disproportionate Share Hospital (DSH) Adjustments
- 148.130 Outlier Adjustments for Exceptionally Costly Stays
- 148.140 Hospital Outpatient and Clinic Services
- 148.150 Public Law 103-66 Requirements
- 148.160 Payment Methodology for County-Owned Hospitals in a County with a Population of Over Three Million
- 148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
- 148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
- 148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
- 148.190 Copayments
- 148.200 Alternate Reimbursement Systems
- 148.210 Filing Cost Reports
- 148.220 Pre September 1, 1991 Admissions
- 148.230 Admissions Occurring on or after September 1, 1991
- 148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
- 148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
- 148.260 Calculation and Definitions of Inpatient Per Diem Rates
- 148.270 Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
- 148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
- 148.290 Adjustments and Definitions for Special Arrangements

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- 148.300 Payment
- 148.310 Review Procedure
- 148.320 Alternatives
- 148.330 Exemptions
- 148.340 Subacute Alcoholism and Substance Abuse Treatment Services
- 148.350 Definitions
- 148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services
- 148.368 Volume Adjustment (Repealed)
- 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
- 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
- 148.390 Hearings
- 148.400 Special Hospital Reporting Requirements

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and VII and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14613, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March

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1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. _____, effective _____.

Section 148.210 Filing Cost Reports

- a) All hospitals in Illinois, those hospitals in contiguous states providing 100 or more inpatient days of care to Illinois program participants, and all hospitals located in states contiguous to Illinois that elect to be reimbursed under the methodology described in 89 Ill. Adm. Code 149 (the DRG Prospective Payment System), shall be required to file Medicaid cost reports within 150 90 days of the close of that provider's fiscal year and submit a copy of the filed Medicare report.
- b) No extension of the due date will be granted by the Department ~~the Department--may--grant--a--30-day--extension--of--the--due--date--for--good cause.~~
- c) The assessment or license fees described in 89 Ill. Adm. Code 140.80, 140.82, 140.84, 140.94 and 140.95 may not be reported as allowable Medicaid costs on the Medicaid cost report.
- d) ~~A For-a~~ hospital that is electing to participate in the Illinois Medicaid Program and has not previously filed a Medicaid cost report ~~before--the--report--must submit the two most recently audited Medicare Cost Report at the time of enrollment.~~

(Source: Amended at 19 Ill. Reg. _____, effective _____.)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Relative Home Placement
- 2) Code Citation: 89 Ill. Adm. Code 335
- 3) Section Numbers: Adopted Action:
335.Appendix A Repeal
- 4) Statutory Authority: Section 5 of the Children and Family Services Act [20 ILCS 505/5]
- 5) Effective Date of Repeal: September 1, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 1, 1995
- 9) Notice of Proposal Published in Illinois Register:
April 28, 1995, 19 Ill. Reg. 6035
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference between proposal and final version: JCAR made minor editing changes in the Source Note and statutory citation for the repealer.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? There were no agreements between the agency and JCAR.
- 13) Will this repealer replace an emergency rule currently in effect? Yes.
- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Repealer: The Department has adopted amendments to 89 Ill. Adm. Code 301, Placement and Visitation Services, which replaces Appendix A of this Part.

- 16) Information and questions regarding this adopted repealer shall be directed to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 E. Monroe Street, # 222
Springfield, Illinois 62701-1498
Telephone:(217) 524-1983

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TTY: (217) 524-3715

The full text of the Adopted Repealer begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 335
RELATIVE HOME PLACEMENT

SUBPART A: GENERAL PROVISIONS

Section
335.100 Purpose
335.102 Definitions (Repealed)

SUBPART B: PLACEMENT

Section
335.200 Identification and Selection of Relative Placements (Repealed)
335.202 Placement Pre-conditions (Repealed)
335.204 Continuation of Placement (Repealed)
335.206 Required Notices and Information (Repealed)
335.208 Payment Provisions (Repealed)

SUBPART C: APPROVAL STANDARDS FOR RELATIVE FAMILY HOMES

Section
335.300 Provisions Pertaining To Approval (Repealed)
335.302 Safety Requirements for the Relative Family Home (Repealed)
335.304 Requirements For Sleeping Arrangements (Repealed)
335.306 Nutrition and Meals (Repealed)
335.308 Business and Employment of Relative Foster Parents (Repealed)
335.310 Qualifications of Relative Family Home (Repealed)
335.312 Background Inquiry (Repealed)
335.314 Health of Relative Family (Repealed)
335.316 Number of Children Served (Repealed)
335.318 Meeting Basic Needs of Related Children (Repealed)
335.320 Health Care of Related Children (Repealed)
335.322 Religion (Repealed)
335.324 Education (Repealed)
335.326 Discipline of Related Children (Repealed)
335.328 Emergency Care of Related Children (Repealed)
335.330 Release of Children (Repealed)
335.332 Confidentiality of Information (Repealed)
335.334 Required Written Consents (Repealed)
335.336 Records To Be Maintained (Repealed)
335.338 Cooperation with the Supervising Agency and the Department (Repealed)
335.340 Severability of This Part (Repealed)

APPENDIX A

Crimes Identified in Section 4.2 of the Child Care Act of 1969
(Repealed)

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AUTHORITY: Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5] (see Public Act 89-21).

SOURCE: Adopted at 10 Ill. Reg. 4513, effective April 1, 1986; amended at 16 Ill. Reg. 7633, effective April 30, 1992; amended at 17 Ill. Reg. 13420, effective July 31, 1993; amended at 18 Ill. Reg. 7744, effective September 1, 1994; emergency amendment at 18 Ill. Reg. 14436, effective August 31, 1994, for a maximum of 150 days; emergency expired January 30, 1995; amended at 19 Ill. Reg. 6204, effective April 12, 1995; emergency amendment at 19 Ill. Reg. 10201, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10502, effective July 1, 1995; amended at 19 Ill. Reg. 13204, effective SEP 01 1995.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Section 335.APPENDIX A Crimes Identified in Section 4.2 of the Child Care Act of 1969 (Repealed)

Crimes-identified-in-Section-4.2-of-the-Child-Care-Act-of-1969-include-those serious-criminal-offenses-under-the-criminal-code-of-1961-1968-1969-51-or-under any-existing-illinois-criminal-law-or-code-as-an-offense-in-another-state--the elements--of--which--are--similar--and--bear--a-substantial-relation-to-any-of-the criminal-offenses-specified-below

Murder
Kidnapping
Aggravated-Kidnapping
Child-Abduction
Aggravated-Battery-of-a-Child
Criminal-Sexual-Assault
Aggravated-Criminal-Sexual-Assault
Criminal-Sexual-Abuse
Aggravated-Criminal-Sexual-Abuse
Child-Pornography
Exploitation-of-a-Child
Obscenity
Harmful-Material
Sale-in-Sales-of-Obscene-Publications-to-Distributors
Indecent-Solicitation-of-a-Child
Public-Indecency
Sexual-Relations-Within-Families
Prostitution
Soliciting-for-a-Prostitute
Soliciting-for-a-Juvenile-Prostitute
Pandering
Keeping-a-Place-of-Prostitution
Keeping-a-Place-of-Juvenile-Prostitution
Patronizing-a-Juvenile-Prostitute
Pimping
Juvenile-Pimping

(Source: Repealed at 19 Ill. Reg. 13204, effective SEP 01 1995)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Duck, Goose and Coot Hunting

2) Code Citation: 17 Ill. Adm. Code 590

3) Section Numbers: Adopted Action:

590.10 Amendments
590.15 New Section
590.20 Amendments
590.25 Amendments
590.26 Repealed
590.30 Repealed
590.40 Amendments
590.50 Amendments
590.60 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

5) Effective Date of Rulemaking: September 11, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date filed in Agency's Principal Office: September 8, 1995

9) Notice of Proposal Published in Illinois Register: April 28, 1995, 19 Ill. Reg. 6040

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In the Source Note for the peremptory amendments effective September 25, 1985, "amendments" was changed to "amendment."

In the Source Note, a comma was added following "September 27, 1994."

Throughout the Part, all references to "first-come" were changed to "first come, first served."

In Section 590.10(a), the comma following "federal regulations)" was removed.

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In Section 590.10(a), a comma was added following "or editions)."

In Section 590.10(h)(2), the comma following "LaSalle" was deleted.

In Section 590.10(l)(1), "in possession" was removed.

In Section 590.15(a)(6), the period was underscored.

Section 590.15(b)(3) was changed as follows:

the comma following "season" was removed and the following language added: (except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of waterfowl season)

"blind registration cards" was capitalized.

In Section 590.15(b)(4), "at Mississippi River Area Pools 25 and 26 re-assigned blinds must be completed by sunset of the Sunday immediately preceding the opening day of waterfowl season" was added following "7 days prior to waterfowl season."

In Section 590.15(b)(5), "by August 31" was replaced with "within 30 days of the blind drawing date."

In Section 590.15(b)(7), the following was added after "opening day of waterfowl season": "except at Mississippi River Area Pools 25 and 26 boat hides and final brushing must be completed 4 weeks prior to the opening day of waterfowl season."

In Section 590.15(c)(3), a comma was added following "hunt."

In Section 590.15(c)(5), a comma was added following "occupied."

In Section 590.15(d)(2), "Person exempted" was changed to "Persons exempted."

In Section 590.15(e), the spelling of "usable" was corrected.

In Section 590.20(c)(9), the comma following "Hunters" was removed.

In Section 590.40(a), the spelling of "parentheses" was corrected.

In Section 590.40(a)(1), "1st" was changed to "1."

In Section 590.40(c), "Subsection" was changed to "subsection."

In Section 590.40(b)(5), the following was added to the end of the

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paragraph: "At Mississippi River Area Ponds 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding opening day of waterfowl season through the day before waterfowl season as posted at the site."

In Section 590.40(b)(8), the spelling of "parentheses" was corrected.

In Section 590.40(b)(10), the spelling of "parentheses" was corrected.

In Section 590.40(b)(11), the paragraph was changed to read as follows: "For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds non re-registered will be allocated by a drawing."

In Section 590.50(a), "Walk-in Unit" was capitalized.

In Section 590.50(b)(3), "parentheses" was misspelled.

In Section 590.50(b)(4), "parentheses" was misspelled.

In Section 590.50(b)(5), "parentheses" was misspelled.

In Section 590.50(b)(7), "either" and "or through the mail" were removed.

In Section 590.50(b)(9), the following was added at the end of the subsection: "At Mississippi River Area Ponds 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of waterfowl season through the day before waterfowl season as posted at the site."

In Section 590.60(a)(1), "indicated with a (1)" was changed to read: "indicated by a (1) following the location in subsection (b)."

In Sections 590.60(a)(2) and (3), "days hunt" was changed to "day's hunt."

In Section 590.60(a)(5), "and/or" was removed and a comma added following "areas."

In Section 590.60(a)(6), a comma was added following "required" and "section" was capitalized.

In Section 590.60(a)(7), "section" was capitalized.

In Section 590.60(b)(3)(A), following "waterfowl hunting season" the

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following language was added: "except during the last 3 days of the Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m., and language was changed to read: "(as defined in subsection (b)(3)(E))."

In Section 590.60(b)(3)(E), "in the Hurricane Creek" was deleted.

In Section 590.60(b)(3)(F), the following was added at the end of the Section "except during the last 3 days of the Canada Goose season decoys shall not be left out unattended or later than 1 hour after sunset.

Section 590.60(b)(3)(I) was added: "during the last 3 days of Canada goose season, hunting hours shall close at sunset daily.

In Section 590.60(b)(5), the period at the end of the subsection was put back in.

In Section 590.60(b)(14), "checkout" was changed to "check out."

In Section 590.60(b)(15)(B), the period was put back in following "decoys."

In Section 590.60(b)(24)(G) was changed to read as follows:

G) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:

- i) During goose season, a separate drawing will be held for the 4 pits at Whistling Wings. This drawing will be held at 4:30 a.m. daily at the Bonnie Dam Access Area. Hunters may not register for more than one drawing per day.
- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
- iii) Two standby parties will be drawn for pit refill after move-up of initial hunting parties, in the reverse order of the order the pits were drawn.
- iv) No more than four (4) dozen decoys may be used per pit.
- v) No more than four (4) hunters will be allowed in a pit or hunting party.

The language in the Section previously labeled 590.60(b)(24)(K) was restored and relabeled 590.60(b)(24)(H) and the following subsections were relabeled accordingly. Subsection 590.60(b)(24)(L) was changed to read as follows:

- L) Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:
 - i) All hunting must occur within 10 yards of an assigned, numbered stake and only one hunting party may occupy a staked site at any

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given time.

- ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November and at 4:30 a.m. during the remainder of the season at locations to be publicly announced. Check stations will be open from 1/2 hour before drawing time to 9:30 a.m. daily.
- iii) Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than five (5) persons shall be in a hunting party.
- iv) Hunters (including those who are not drawn in the 4:30 a.m. drawing) will not be allowed to enter the staked area until 9:00 a.m. No hunting party may enter the staked area after 9:30 a.m. Hunters will not be allowed to enter the staked area between 9:00 a.m. and 9:30 a.m. unless there are vacant staked hunting locations.
- v) When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis.
- vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
- vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.

Section 590.60(b)(27)(E), following "subsection" the following was added: "(b)(27)."

In Section 590.60(b)(27)(K), the period at the end of the subsection was put back in.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to standardize site specific waterfowl hunting regulations, including hunting hours, staked blinds, portable boat blinds, temporary blinds and check-in and check-out procedures; add language requiring a 200' yard spacing between waterfowl hunting parties except at department-staked blind sites.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF CONSERVATION

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Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 590

DUCK, GOOSE AND COOT HUNTING

Section

- 590.10 Statewide Regulations
590.15 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed sites
590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
590.25 Illinois Youth ~~Goose~~ Waterfowl Hunting Permit Requirements
590.26 Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites (Repealed)
590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
590.70 Ohio River

EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective

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September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 16745, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13203, effective SEP 1 1995.

Section 590.10 Statewide Regulations

- a) Pursuant to Section 2.18 of the Wildlife Code ~~1111-Rev-Stat-19917 ch-61-par-2-107~~ [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20) (collectively referred to in this Part as federal regulations) (no incorporation in this Part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code.
- b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this rule, unless federal regulations are more restrictive.
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this rule are more restrictive.
- d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations.
- e) Emergency Closure
The Department of Conservation (Department or DOC) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive.

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due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.

5) Closed Areas and Refuges

1) Backs---Specific habitats, geographical areas, or political land units shall be closed to hunting of specified species of ducks in compliance with federal regulations.

2) Geese and Refuges

1) Additional geographical areas or political land units shall be closed to hunting of specified species of geese in compliance with federal regulations.

2) Portions of the following areas are designated as waterfowl refuges and the refuge boundaries are posted or identified on each area posting:

1) Horseshoe Lake--Conservation Area--Alexander County--the refuge area shall be defined as all State-owned land and those areas adjacent within the tract of land hereinafter described--Beginning at the intersection of State Highway No. 3 and the Olive Branch-Miller City Road; thence in southerly direction to the intersection of the Olive Branch-Miller City Road and the Promised Land Road; thence easterly to the intersection of the Promised Land Road and Old Highway No. 3; thence northwesterly to intersection of Old Highway No. 3 and State Highway No. 3; and thence northwesterly along State Highway No. 3 to point of beginning at Olive Branch in the refuge; no motors except trolling motors will be allowed from October 15 to March 11

2) LaSalle Lake--Fish and Wildlife Area--closed to boats October 1 to March 31

3) Macon-Braidwood State Fish and Wildlife Area

4) Rend Lake and Rend Lake Wildlife Management Area

5) Snake Den Hollow Fish and Wildlife Area--all use other than waterfowl hunting is prohibited from October 1 through the close of the Fulton-Knox County goose season

6) Union County Conservation Area--all fishing and boat traffic is prohibited from October 15 through March 11

7) Melvin Price Lock and Dam Pool--26--the posted area immediately south of Melvin Price Lock and Dam--26--on the Mississippi River and including that portion of Maple Island that is presently owned by the State of Illinois has been designated as waterfowl refuge. It is hereby announced that hunting and off-road vehicles are prohibited at all times. All boats--to be posted on the waters of the refuge when posted from October 1 to March 31

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1) Closed Areas

Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted.

2) Commercial Migratory Waterfowl Hunting Area Permits

1) The holder of a permit shall forward information on harvest and hunters to the Department, on forms furnished by the Department, at times required by the Department. The Department shall give the permit holder reasonable written notice of the dates reports are required. Failure to timely supply such reports will make the permit holder subject to revocation of his permit and suspension of the privilege to hold the permit for up to 5 years.

2) Subsection 19 shall be in accordance with Section 37 of the Wildlife Code 1520-1525-5377.

3) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time.

4) The Department may assign the maximum potential Canada goose harvest (number registered pits x 5 hunters x Canada goose bag limit) to the cumulative quota zone harvest for each day a club is late in reporting.

5) Test Hunting Regulations are located in 17-111-Adm--Code-740.**6) Waterfowl Hunting Zones:**

1) Northern Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.

2) Northern Illinois Quota Zone - DuPage, Kane, Lake, and McHenry counties, and those portions of LaSalle and Will counties north of I-80.

3) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry route landing on the Mississippi River and east along the Modoc Ferry Road to Randolph County Highway 12 Modoc Road to St. Leo's Road to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the Indiana border, except that all of Bond, Effingham, and Fayette counties will be excluded from the Central Zone for goose hunting.

4) Central Illinois Quota Zone - Calhoun, Cass, Fulton, Jersey, Knox, Mason, Morgan, Peoria, Pike, Tazewell, and Woodford counties, as well as those portions of LaSalle, Grundy, and Will counties south of I-70.

5) Southern Zone - From the southern boundary of the Central Zone south to the remainder of the State, except that all of Bond, Effingham, and Fayette counties will be in the Southern Zone for goose hunting.

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- 6)14* Fulton-Knox County Canada Goose Zone - Knox County and the following townships in Fulton County: Buckheart, Canton, Cass, Deerfield, Fairview, Farmington, Joshua, Orion, Putnam, and that portion of Banner Township bounded on the north by Illinois Route 9 and on the east by U.S. Route 24.
- 7)15* Rend Lake Canada Goose Quota Zone - all lands and waters in Franklin and Jefferson Counties.
- 8)16* Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, Dupage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.
- 9)17* Southern Illinois Quota Zone (Alexander, Union, Williamson, and Jackson Counties).

1)17* No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone and Southern Illinois Quota Zone except between legal opening and the hour of 3:00 p.m. except during the last three days of the Canada goose season, hunting hours shall close at sunset daily.

1)18* On any property where the principal waterfowl harvest is wild geese in the Rend Lake Canada Goose Quota Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time.

1)19* Persons in possession of geese in excess of twice the daily bag limit, when such geese were taken within the quota zones, shall tag each individual goose. The tag must contain the hunter's signature and address and the date of kill and the location of the kill.

1) The following apply in the Northern and Central Illinois Quota Zones:
 1) It is unlawful to hunt Canada geese without having in possession a current season's permit to hunt Canada geese, unless exempt from a State waterfowl stamp. Such permits are not transferable and are not valid unless they contain the hunter's name, signature, date of birth, and the same State waterfowl stamp number that is on the State waterfowl stamp that is signed by the hunter or affixed to his/her license.

2) Immediately upon taking possession of a harvested Canada goose, hunters must punch or slit the Permit to Hunt to indicate the date of kill (one date for each goose harvested) and zone in which taken.

3) Hunters must report their kill within 24 hours by calling 1-800-WETLAND (938-5263) on a touch tone phone.

(Source: Amended at 19 Ill. Reg. 13209, effective SEP 11 1995)

Section 590.15 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites

a) Definitions

1) Blind site - A position within 10 feet of numbered stake where

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blind must be constructed. Sites shall be located and marked by the Department of Conservation.

- 2) Blind builder - person who has been assigned a blind site as a result of the drawing.
- 3) Blind partner - Person(s) chosen by the builder to assist in construction and maintenance of the blind and to share its blind claiming and hunting privileges.
- 4) Drawing - Procedure by which blind sites are assigned.
- 5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
- 6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.
- 7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.

b) Blind Construction

1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.

2) Platform constructed above normal water conditions or they may be floating blinds.

3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of waterfowl season, except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of waterfowl season, after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.

4) Sites on which blinds have not been built, as well as sites in which blinds of an unsatisfactory quality have been built, shall be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, seven days prior to the opening date of the waterfowl season on sites posted as being closed to trespassing 7 days prior to waterfowl season. At Mississippi River Area Pools 25 and 26 reassigned blinds must be completed by sunset of the

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Sunday immediately preceding the opening day of waterfowl season. On all other sites reassigned blinds must be completed, including final brushing, by the day before the opening day of the waterfowl season.

- 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned within 30 days of the blind drawing date. Failure to do so shall result in forfeiture of blind.

- 6) No person shall be allowed to be a blind builder or partner on more than one State Waterfowl Management Area in Illinois.

- 7) Boat hides are required, except as noted in Sections 590.40 and 590.50, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by three weeks prior to the opening day of waterfowl season, except at Mississippi River Area Pools 25 and 26 boat hides, and final brushing must be completed 4 weeks prior to the opening day of waterfowl season; failure to meet these standards shall result in forfeiture of blind site.

- 8) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds except as indicated in subsections 590.40(a) and 590.50(a).

c) Use of blinds

- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

- 2) No person shall hunt, or attempt to hunt, except from within a registered blind.

- 3) Persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by an adult due to safety factors.

- 4) Blinds shall not be locked.

- 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied, is unlawful.

- 6) No person shall fish within 250 yards of an occupied blind within the hunting area.

- 7) All hunting parties shall hunt over a spread of at least 12 decoys. The decoys shall be staked, placed, or floating, be individually visible, be at least 3 inches long, and not be within a boat, blind or container.

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- 8) At sites where a manned check station is in operation, hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

d) Public Drawing

- 1) Time and place for all sites holding drawings shall be publicly announced by the Department of Conservation.

- 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Persons exempt by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have a valid Firearm Owner's Identification Card must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of blind sites.

e) Flood Rules

In the event that State managed sites are flooded to the point that public waterfowl blinds cannot be constructed or are no longer usable, the Department, by public announcement and/or posting, may permit waterfowl hunting under one of the following rules:

- 1) If the check station for that site is open, all rules apply, except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site.

- 2) If the check station is not operable, all rules apply except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site. Additionally, rules listed in subsections 590.40(b)(1), (2), (3), (4) and (5) shall not be in force. Rules concerning blind claiming as listed in subsection 590.50(b) shall apply.

- 3) If blind sites have not been marked and no check station is operable, the area will be open to hunting from platform, floating or boat blinds or by walk-in hunting, anywhere on the area except refuges and closed waterfowl rest areas. Replacement of unattended decoys and/or unoccupied blinds or boat hides do not constitute lawful possession of a hunting site. All hunting parties must remain 200 yards apart and follow normal closing hours for the site.

- 4) In all above flood circumstances, regulations pertaining to the

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construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.

(Source: Amended 19 Ill. Reg. 13209, effective SEP 1 1995)

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Banner Marsh Fish and Wildlife Area
Snake Den Hollow State Fish and Wildlife Area
Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation.
- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].

- 3) The permit shall be for the use of the entire blind. It shall be the responsibility of the permit holder to bring one hunting partner (two persons hunters per blind) for Snake Den Hollow State Fish and Wildlife Area and Union County, or three two hunting partners (four persons three hunters per blind) for Banner Marsh. Unfilled blinds shall be filled by a drawing at the sites.

4) Permit transferability

- A) Permits are not transferable.
- B) For other information write to:
Illinois Department of Conservation
Permit Office - Waterfowl
524-S--Second-Street--Room-210
P.O. Box 19457
Springfield, IL 62794-9457

- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Snake Den Hollow State and Wildlife Area

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Union County Conservation Area and Banner Marsh:

- 4) Permits are not transferable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Conservation
Permit Office - Waterfowl
P.O. Box 19457
Springfield, IL 62794-9457

- c) General waterfowl hunting regulations for Snake Den Hollow State Fish and Wildlife Area, Union County Conservation Area and Banner Marsh areas

- 1) Subsection (c) of this Section shall be in accordance with Federal Regulations 50 CFR 20 unless the regulations in this Section are more restrictive.

- 1)2) All use other than permit hunting is prohibited at Snake Den Hollow from October 1 through close of Fulton Knox County goose season. Season dates, bag limits and methods of taking geese are set by the U.S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

- 2)3) Hours, Permits and Stamp Charges

- A) Hunting hours are from legal opening time until 1:00 p.m. 12:00 Noon.

- B) At Snake Den Hollow from opening day through December 14, hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. From December 15 through the close of goose seasons, hunters with permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. At Union County Conservation Area and Banner Marsh hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Union County Conservation Area, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), shall have priority to be reassigned to the better blinds as they become available.

- C) A \$15.00 Daily Usage Stamp must be purchased at Snake Den Hollow State Fish and Wildlife Area and Union County Conservation Area. A \$10.00 Daily Usage Stamp must be purchased at Banner Marsh.

- 4) When daily quotas are not filled, permits shall be issued to standby hunters by a drawing held at the check station. Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station white

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hunting--persons-exempt-by-law-from-having-a-hunting-license-and
an-illinois--stamp--must--deposit--their--prearm--owner's
identification-card--Persons-under-21-who-do-not-have-a-card-must
be--accompanied--by--an--adult--who--has--a--valid--card--in--his
possession:

3)6+ Hunting shall be done from assigned blinds only and hunters
shall not move from blind to blind or leave the blind and return.

4+ Baiting-with-corn-grains-or-other-feed-is-not-allowed:

4)8+ Guns must be unloaded and encased at all times when not hunting.

9+ Disturbing-or-molesting-waterfowl-fishing-or-trespassing-within
the-posted-area-of-any-hunting-ground-is-prohibited:

4+ Special-Canada-geese-hunting-regulations-for-Union-County-Conservation
Area:

5)1+ The legal hunting season for Union County Conservation Area is
the dates of the Quota Zone goose hunting season except that the
areas shall be closed on Mondays and December 24, 25, 26 and the
first weekday after December 26 other than a Monday. (This site
shall be open only for the Illinois Youth Goose Hunt on the first
weekday after December 26 other than a Monday, pursuant to
Section 590.25).

6) The legal hunting season at Snake Den Hollow is the dates of the
Fulton-Knox County goose hunting zone except that the area shall
be closed on Tuesdays, Wednesdays, and December 24, 25 and 26.

7) The legal hunting season at Banner Marsh is the dates of the
central zone duck hunting season. Goose hunting is prohibited
after the duck season.

9)2+ Hunters may not possess more than 5 shells for each Canada Goose
allowed in the daily bag at Union County Conservation Area and
Snake Den Hollow.

3+ Hunters-cannot-leave-their-blinds--and--shoot--crippled--geese-
use-or-possession-of-any-other-decoys-is-illegal
Hunters-can-leave-the-blind-and-retrieve-their-crippled-geese-but
they-must-leave-their-guns-in-the-blinds.

9) Hunters without their guns may leave the blind to retrieve
crippled waterfowl at Union County Conservation Area.

10)4+ Hunters must be at least 16 years of age (except for the
Illinois Youth Goose Hunt) to draw for a pit or blind. Each
person under 16 years of age must be accompanied by a supervising
adult.

5+ Hunters-shall-use-only-decoys-provided-by-the-Department---The
use-or-possession-of-any-other-decoys-is-illegal

5+ Hunters-must-stack-up-decoys--and-place-them-next-to-the-blind
prior-to-checking-out:

4+ Special-duck-regulations-for-Banner-Marsh:

1+ The legal hunting season is the dates of the central zone-duck
hunting season:

2+ All hunting parties (each blind) are required to use a minimum of
12-duck-decoys

4+ Hunters-can-own-a-private-decoy:

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4+ Hunters-must-be-at-least-16-years-of-age-to-draw-for-a-blind-at
Banner Marsh:

5+ Goose-hunting-will-be-prohibited-after-the-duck-season-
Special-Canada-geese-hunting-regulations-for-Snake-Den-Hollow:

1+ The legal hunting season is the dates of the Fulton-Knox-County
goose hunting zone:

2+ Hunters-must-not-possess-more-than-5-shells-for-each-Canada-geese
allowed-in-the-daily-bag:

3+ Hunters-must-not-enter-the-refuge-in-pursuit-of-crippled-geese:

4+ Hunters-must-be-at-least-16-years-of-age-to-draw-for-a-blind:

5+ Closed-on-Tuesdays-Wednesdays-and-December-24-25-and-26:

(Source: Amended at 19 Ill. Reg. 13209, effective
SEP 11 1995)

Section 590.25 Illinois Youth Waterfowl Goose Hunting Permit Requirements

a) State sites covered in this Section, which allow hunting by permit
only, are:

Donnelley State Wildlife Area

Horseshoe Lake Conservation Area (Alexander County)

Union County Conservation Area

b) Permit Requirements

1) Permit reservations shall be accepted starting in September.
Initial acceptance dates shall be publicly announced. Applicants
must be between the ages of 10-15 on the date of the hunt.

2) Only one permit per person shall be issued for the hunt on the
first weekday after December 26 other than a Monday at Horseshoe
Lake Conservation Area (Alexander County) and Union County
Conservation Area and on the Sunday immediately preceding the
first firearm deer season as set forth in 17 Ill. Adm. Code
650.10 at Donnelley State Wildlife Area.

3) The permit shall be for the use of the entire blind and it shall
be the responsibility of the permit holder to bring one
supervising adult who may also hunt.

4) Permit reservations and transferability.

A) All duplicate permit reservations shall be rejected and the
hunter shall forfeit his rights to a permit. Permits are
not transferable. Previous participants are ineligible to
apply for a permit.

B) For other information write to:

Illinois Department of Conservation

Youth Waterfowl Goose Hunt

524 S. Second Street, Room 210

P.O. Box 13457

Springfield, IL 62794-9457

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- 5) Permits for the Illinois Youth Waterfowl Goose Hunt shall be issued from the Springfield Permit Office.
- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County) and Union County at the Youth Waterfowl Hunting Areas.
- 1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 40) unless the regulations in this Section are more restrictive.
- 2) Season dates, bag limits and methods of taking geese are set by the U.S. Fish and Wildlife Service, Department of the Interior unless State regulations are more restrictive.
- 1) Hours, Permits and Stamp Charges
- A) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise legal opening until 1:00 p.m. 12:00 noon on the day of the Youth Goose Hunt. Hunting hours at Donnelley State Wildlife Area are sunrise to 1:00 p.m. on the day of the youth duck hunt.
- B) Hunters with Illinois Youth Waterfowl Goose Hunt permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. A drawing shall be held to allocate blind sites.
- C) There is no fee for the Illinois Youth Waterfowl Goose Hunting Permit.
- 4) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Federal Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
- 2) Hunting must be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
- 6) Baiting with corn, grains or other feed is not allowed.
- 7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.
- 3) Guns must be unloaded and encased at all times when not hunting.
- 9) Disturbing or molesting waterfowl, fishing or trespassing within the posted area of any hunting ground is prohibited.
- d) Special Canada geese Illinois Youth Goose Hunt regulations for Horseshoe Lake (Alexander County) and Union County.
- 1) The legal hunting season is the first weekday after December 26 other than a Monday.
- 1) At Union County Conservation Area, Horseshoe Lake Conservation Area (Alexander County), each Youth shall not possess more than 25 shells. Each adult shall not possess more than 5 shells for each Canada goose allowed in the daily bag. Hunters without their guns may leave the blind to retrieve crippled waterfowl.
- 3) Hunters cannot leave their blind and snoot-cropped geese. Hunters cannot leave the blind and retrieve their cropped geese out

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- they must leave their guns in the blinds.
- 5) Each youth and supervising adult may be accompanied by a non-hunting guide.

(Source: SEP 1 1995 19 Ill. Reg. 13209, effective)

Section 590.26 Illinois Youth Duck Hunting Permit Requirements (Repealed)

- a) State sites covered in this Section which allow hunting by permit only are:
- Bonneley State Wildlife Area
- b) Permit Requirements
- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates shall be publicly announced. Applicants must be between the ages of 10-15.
- 2) Only one permit per person shall be issued for the hunt on the third Sunday of the central zone duck season.
- 3) The permit shall be for the use of the entire blind and it shall be the responsibility of the permit holder to bring one supervising adult who may also hunt.
- 4) Permit reservations and transferability.
- A) All duplicate permit reservations shall be rejected and the hunter shall forfeit his rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.
- B) For other information write to:
- Illinois Department of Conservation
Youth Duck Hunt
524-S-Second-Street-Room-210
P-O-Box-19457
Springfield-IL-62794-9457
- 5) Permits for the Illinois Youth Duck Hunt will be issued from the Springfield Permit Office.
- c) General waterfowl hunting regulations for Bonneley State Wildlife Area
- 1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 40) unless the regulations in this Section are more restrictive.
- 2) Season dates, bag limits and methods of taking ducks are set by the U.S. Fish and Wildlife Service, Department of the Interior unless State regulations are more restrictive.
- 3) Hours, Permits and Stamp Charges
- A) Hunting hours at Bonneley State Wildlife Area are from sunrise until 12:00 noon on November 17-1993.
- B) Hunters with Illinois Youth Duck Hunt permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m.

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- drawing shall be held to allocate blind sites.
- 2) There is no fee for the Illinois Youth Duck Hunting Permit.
- 4) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Preterm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
- 5) Hunting must be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
- 6) Baiting with corn, grains or other feed is not allowed.
- 7) Hunters must have a 20-gauge or larger shotgun and provide their own ammunition.
- 8) Guns must be unloaded and cased at all times when not hunting.
- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.
- 10) The legal hunting season is the third Sunday of the central zone duck season.
- 11) Each youth and supervising adult may be accompanied by a guide.

(Source: Repealed at 19 Ill. Reg. 13209, effective SEP 1 1995)

Section 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and Managed Sites (Repealed)

- a) The regulations in this Section apply to all sites listed in Sections 590.40, 590.50 and 590.60 unless otherwise stated in those Sections.
- b) The regulations in these Sections are in accordance with Federal Regulations 450-CFR-20 unless the regulations in these Sections are more restrictive.
- c) All the regulations in 17 Ill. Adm. Code 610 apply in these Sections unless these Sections are more restrictive.
- d) Definitions
- 1) Blind site--A position within 10 feet of a numbered site where blind must be constructed. Sites shall be located and marked by the Department of Conservation.
- 2) Blind builder--Person who has been assigned a blind site as a result of the drawing.
- 3) Blind partner--Person chosen by the builder to assist in construction and maintenance of the blind and to share its hunting privileges.
- 4) Drawing--Procedure by which blind sites are assigned.
- 5) Blind registration card--Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
- 6) Complete--Of an area--with all its manwork and ston

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- constructed and in readiness for use, including final brushing.
- 7) Hunting party--An individual or group of hunters occupying a single body blind or hunting site.
- e) Blind Construction
- 1) Blinds must be at least 4 feet x 9 feet but no higher than 14 feet from the water surface at normal pool level to the top of the shooting box, sturdy enough to withstand daily usage and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.
- 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
- 3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of waterfowl season except for those areas listed in Section 590.60(b)(1) and Section 590.60(b)(6) after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Beer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult, the site superintendent or the District Wildlife Manager may grant extensions.
- 4) Sites on which blinds have not been built as well as sites on which blinds of an unsatisfactory quality have been built shall be reassigned to alternate sites selected at a drawing or by a first come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.
- 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. At the designated time no changes shall be accepted. As dictated by the information sheet available at each site, the registration form must be filled out and returned by August 31. Return of a form shall result in forfeiture of blind.
- 6) No person shall be allowed to be a blind builder or partner on more than one State Waterfowl Management Area in Illinois.
- 7) Boat-hired are required except as noted in Sections 590.40, 590.50 and 590.60 and must have a minimum third dimension of 4 ft x 6 ft and shall be sturdy enough to withstand daily use considering the conditions of the site and must be maintained in good condition throughout the season and shall be completed including final brushing of the site by the end of the season.

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of waterfowl season--failure to meet these standards shall result in forfeiture of blind site.

1) Use of blinds

1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest--the insertion of a blind into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

2) No person shall hunt or attempt to hunt except from within a registered blind.

3) Persons under 16 years of age shall not hunt or attempt to hunt unless accompanied by an adult due to safety factors.

4) Blinds shall not be locked.

5) Claiming or attempting to claim any blind which is legally occupied and/or harassing in any manner the occupants of a blind which has been legally occupied is unlawful.

6) No person shall fish within 50 yards of an occupied blind within the hunting area.

7) All hunting parties shall hunt over a spread of at least 12 decoys--the decoys shall be stacked or placed or floating--be individually visible--be at least 8 inches long and not be within a boat blind or container--Decoys must be removed at the end of the day's hunt or left overnight--as determined by the site manager.

9) Public Drawing

1) Time and place for all sites holding drawings shall be publicly announced by the Department of Conservation.

2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license--a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expiring within 12 months prior to the drawing--a current or preceding year's identification card--unless exempted by law--Persons exempted by law from possessing a hunting license or Waterfowl Stamp must have a valid firearm owner's identification card--Persons who are under 21 years of age who do not have a firearm owner's identification card must be accompanied by an adult who has a valid firearm owner's identification card in his possession at the drawing--Applicants must be present for the registration and drawing to be eligible for allocation of duck blind sites.

11) Flood Rules

1) In the event that State managed sites are flooded to the point that public waterfowl hunting blinds cannot be constructed or are no longer usable--the Department of Public Announcement and/or posting may permit waterfowl hunting under one of the following rules:

1) If the check station for that site is open--all rules apply except that hunting will be allowed from boat platform or floating blinds--which must be located within 15 feet of the

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marked blind site.

2) If the check station is not operable--all rules apply except that hunting will be allowed from boat platform or floating blinds which must be located within 10 feet of the marked blind site--Additionally, rules listed in subsection 590.15(4)(c) and (4)(d) and subsection (4) shall not be in force--Rules concerning blind claiming as listed in subsection 590.15(4)(b) shall apply.

3) If blind sites have not been marked and no check station is operable--the area will be open to hunting from platform floating or boat blinds or by walk-in hunting--in non-regulated closed or otherwise restricted areas--All hunting parties must remain 200 yards apart and follow normal closing hours--for the site--Pre-placement of unattended decoys and/or unoccupied blinds or boat hides does not constitute lawful possession of a hunting site.

4) In all above flood circumstances--regulations requiring the construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.

(Source: Repealed at 19 Ill. Reg. 13209, effective SEP 1 1995)

Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

1) Sites covered in this Section are:

Anderson Lake Conservation Area
Bachtown Federal Bands
Cathoun Point Federal Bands
Glades Federal Bands
Goder Diamond Federal Bands
Horseshoe Lake State Park--Madison County
Lake Beau State Fish and Wildlife Area
Marshall County Conservation Area
Marion State Fish and Wildlife Area
Rice Lake Conservation Area
Sangamon Conservation Area
Spring Lake Conservation Area
Stamp Lake Federal Bands
Woodford County Conservation Area

1) The sites listed in this Section above in Section 590.40(a) conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15 990-99), except as noted in parentheses and in the remainder of this Section. Daily hunting hours close at 1:00 p.m. unless otherwise indicated in parentheses below.

1) Anderson Lake Conservation Area - All Management Units (Previous

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years blind builders shall have until February 1 to salvage blind materials) (legat-opening---noon)

2) Batchtown (legat-opening---3:30 p.m. closing; Central Standard Time (CST)) (3 year blind allocation period)

3) Calhoun Point (legat-opening---3:30 p.m. CST closing) (3 year blind allocation period)

4) Glades (legat-opening---3:30 p.m. CST closing) (3 year blind allocation period)

5) Godar-Diamond (legat-opening---3:30 p.m. CST closing) (3 year blind allocation period)

6) Horseshoe Lake - Madison County (legat-opening---3:30 p.m. CST closing; goose hunting is prohibited after the duck season)

7) Lake DePue (sunrise---noon sunrise opening)

8) Marshall County Conservation Area - (previous years blind builders shall have until February 1 to salvage blind materials)

9) Spring Branch Unit (legat-opening---Noon)

Mazonia State Fish and Wildlife Area (previous years blind builders shall have until February 1 to salvage blind materials; goose hunting prohibited before and after duck season legat-opening-to-12-noon; goose season coincides with state duck season; closed Mondays and Tuesdays)

10) Rice Lake Conservation Area (previous years blind builders shall have until February 1 to salvage blind materials legat-opening---Noon)

11) Sanganois Conservation Area (check station and walk-in areas, hunters are not required to hunt from a blind site during goose seasons held prior to or after the duck season---legat-opening---Noon)

12) Spring Lake (previous years blind builders shall have until February 1 to salvage blind materials legat-opening---Noon; during the waterfowl season, the maximum horsepower limit for outboard motors on the lake is 25 h.p.; no goose hunting prior to duck season)

13) Stump Lake (3 year blind allocation period; legat-opening---3:30 p.m. CST closing)

14) Woodford County Fish and Wildlife Conservation Area (previous years blind builders have until February 1 to salvage blind materials legat-opening---Noon)

b) The following regulations apply to all sites listed in this Section under Subsection (a):

1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first-come basis, as per 590.50 (b)(1), (2) and (3). Goose hunters must sign in prior to hunting and sign out and report the arrest at the end of each day's hunt.

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2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.

3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.

4) All hunters must be checked out within one hour of the close of the legal hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned.

5) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 9 days prior to the waterfowl season as posted at the site. At Mississippi River Area Ponds 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding opening day of waterfowl season through the day before waterfowl season as posted at the site.

6) It shall be unlawful to trespass upon the designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season on Anderson-Baker-Baker-Baker-Marshall County-Spring-Baker-and-Woodford-County-Sites-Godar-Diamond-and Stump Lake.

7) It shall be illegal to fish or trespass upon the designated waterfowl hunting area or waterfowl refuge beginning two weeks prior to the waterfowl season until the end of the waterfowl season at Mazonia-Fish-and-Wildlife-Area.

8) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of waterfowl season through the waterfowl season.

9) No more than 4 persons shall occupy a blind at one time.

10) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).

11) During duck season, blinds not claimed by the builder or partners by one hour before hunting time shall be assigned by a drawing at this time and during the hours from 8:00 a.m. to 11:00 a.m., except at Batchtown, Calhoun Point, Glades, Godar-Diamond, Horseshoe Lake, State Park (Madison County) and Stump Lake (9:00 a.m. - 1:00 p.m.) after which time the area shall be closed to additional hunters.

12) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After this date, all materials become the property of the new blind builder or the Department.

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- d) During--duck--season--blinds--not--claimed--by--the--builder--or--partners--by--one--hour--before--hunting--time--shall--be--assigned--by--a--drawing--at--this--time--or--during--the--time--in--parentheses, after which time the area shall be closed to additional hunters.
- Anderson-Bake--(one-hour-before-hunting-time---10:00-a.m.-)t
Batchtown--(9:00-a.m.----10:00-p.m.-)t
Cathoun-Point--(9:00-a.m.----10:00-p.m.-)t
Glades--(9:00-a.m.----10:00-p.m.-)t
Sodas-Diamond--(9:00-a.m.----10:00-p.m.-)t
Horseshoe-Bake---Madison-County--(9:00-a.m.----10:00-p.m.-)t
Bake-DePue--(one-hour-before-hunting-time---9:00-a.m.-)t
Marshali-County-Conservation-Area---Spring-Branch-Unit--(one-hour-before-shooting-time---9:00-a.m.-)t
Mazonia---Fish---and--Wildlife--Area--(one-hour-before-hunting-time---9:00-a.m.-)t
Rice-Bake-Conservation-Area--(one-hour-before-hunting-time---9:00-a.m.-)t
Sanganois-Conservation-Area--(one-hour-before-hunting-time---10:00-a.m.-)t
Spring-Bake--(one-hour-before-hunting-time---9:00-a.m.-)t
Stump-Bake--(9:00-a.m.----10:00-p.m.-)t
Woodford-County-Conservation-Area--(one-hour-before-hunting-time---9:00-a.m.-)t
Blind--sites--shall--be--allocated--for--a--one-year--period--by--a--public--drawing--at:
- Anderson-Bake--(Anderson-Bake-Management-Unit)t
Horseshoe-Bake--(Madison-County)t
Bake-DePue
Marshali-County-Conservation-Area---Spring-Branch-Unit
Mazonia-State-Fish-and-Wildlife-Area
Rice-Bake-Conservation-Area
Sanganois-Conservation-Area
Spring-Bake
Woodford-County-Conservation-Area
Blind--sites--shall--be--allocated--for--a--3-year--period--by--a--public--drawing--at--(location-of-drawing-site--in--parentheses)t
Batchtown--(Ball--Park)
Sodas-Diamond--(Hardin--Parkground)t
Cathoun-Point--and--Stump-Bake--(Grafton-Ball-Park)t
Glades--(Roseade-Headquarters-Building)
Previous--year's--blind--butiders--shall--have--until--the--time--as--noted--in--parentheses--to--salvage--material--from--their--blinds.
Person-Bake--(February--1--of--the--following--year)
Batchtown--(7--days--after--the--current--drawing)
Cathoun-Point--(7--days--after--the--current--drawing)
Glades--(7--days--after--the--current--drawing)
Sodas-Diamond--(7--days--after--the--current--drawing)
Horseshoe---Bake---Madison-County--(7--days--after--the--current--drawing)

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- drawing)
Bake-DePue--(7--days--after--the--current--drawing)
Marshali-County-Conservation-Area---Spring-Branch-Unit--(February--1--of--the--following--year)t
Mazonia-State-Fish-and-Wildlife-Area--(February--1--of--the--following--year)t
Rice-Bake-Conservation-Area--(February--1--of--the--following--year)t
Sanganois--(7--days--after--the--current--drawing)
Spring-Bake--(February--1--of--the--following--year)t
Stump-Bake--(7--days--after--the--current--drawing)
Woodford-County-Conservation-Area--(February--1--of--the--following--year)t
Re-registration--process--for--43-year--blind--allocation--sites:
1) Batchtown--Cathoun-Point--Glades--Sodas-Diamond--and--Stump-Bake
11) For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. In those years when blind-sites are allocated by re-registration--at--least--one--of--last--year's--registered--blind--builders--from--each--blind--site--must--be--present--in--order--to--re--register--that--blind--site--Registration--must--be--over--16--years--of--age--and--have--in--his--possession--the--current--year's--Illinois--hunting--license--for--himself--and--his--blind--partners.
Failure--to--re--register--during--prescribed--period--shall--result--in--loss--of--blind--site.
2) Blind--builders--may--not--be--added--or--transferred--to--another--blind--after--the--initial--blind--registration--has--occurred.
- (Source: Amended 19 Ill. Reg. 13209, effective SEP 1 1995)
- Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
- a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in the remainder of this Section. Sites covered in this Section have additional regulations in parentheses:
- Blanding Wildlife Area . Federal lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters)
- Boston Bay . No permanent blinds may be built; temporary blinds

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only; 200 yards apart)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blind materials must be salvaged 7 days after current year's drawing; except blind numbers 15, 18 and 20 must be removed in their entirety by May 1)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period; Federal Lands; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Pekin Lake (Department Owned Land)

Piasa Island (3 year blind allocation period; Federal Lands)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in area only; during the regular duck season, no permanent blinds; daily hunting hours will close at 3:30 p.m. CST Federal Lands)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m. hunting hours close at 12 noon daily; no goose hunting except during duck season)

Rice Lake Walk-in and Copperas Creek Management Unit (Walk-in only, daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period)

Starved Rock State Park (Previous years blind builders shall have until February 1 to salvage blind materials; sign in and sign out to report harvest required)

William W. Powers Conservation Area (no goose hunting prior to duck season; boat hides required only at designated sites as

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only; 200 yards apart)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blind materials must be salvaged 7 days after current year's drawing; except blind numbers 15, 18 and 20 must be removed in their entirety by May 1)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period; Federal Lands; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Pekin Lake (Department Owned Land)

Piasa Island (3 year blind allocation period; Federal Lands)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in area only; during the regular duck season, no permanent blinds; daily hunting hours will close at 3:30 p.m. CST Federal Lands)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m. hunting hours close at 12 noon daily; no goose hunting except during duck season)

Rice Lake Walk-in and Copperas Creek Management Unit (Walk-in only, daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period)

Starved Rock State Park (Previous years blind builders shall have until February 1 to salvage blind materials; sign in and sign out to report harvest required)

William W. Powers Conservation Area (no goose hunting prior to duck season; boat hides required only at designated sites as

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announced at the drawing; previous years blind builders shall have until February 1 to salvage blind materials).

- b) The sites listed above in subsection (a) conform to Statewide Regulations (Section 590-18) and General Department Regulations (Section 590-30) except as noted in the remainder of this Section. The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Hours are legal opening to sunset except as indicated in parentheses under subsection (a) above.

- 1.1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first-come basis.

- 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

- 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).

- 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).

- 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.

- 6) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.

- 7) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished either in person or through the mail during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing.

- 8) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges two weeks prior to the start of waterfowl season through the waterfowl season as posted at the site.

- 9) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area Pools 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of waterfowl season through the day before

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waterfowl season as posted at the site.

- c) Hunting from permanent blinds will be permitted at the above areas with the following exceptions:

- 1) Blanding Wildlife Area--scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters.

- 2) Mississippi River Pool 16--no permanent blinds (temporary blinds only) above White Gate except for Goose Pond--Bantish Slough and Main Bottoms--hand area upriver from river mile 47.4.

- 3) Mississippi River Pool 18--Boston Bay--no permanent blinds may be built--Temporary blinds only--200 yards apart.

- 4) Mississippi River Pools 16-18--scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters.

- 5) Red's Blanding--that portion of Red's Blanding that is north of the access road will be noted as a walk-in area only during the regular duck season; no permanent blinds--this area will be closed to trespassing 3 days prior to duck season--Waterfowl hunting will be permitted during the regular duck season--Daily hunting hours will be legal opening until 1:00 p.m. CST.

- d) Special access restrictions are at the following sites:

- Blanding Wildlife Area (boat access only)

- e) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.

- f) Previous year's blind builders shall have until the date listed in parentheses of the following year to salvage materials from blind sites. After this date all materials shall become the property of the Department or the new blind builder as determined by the site manager except as noted in parentheses.

- Blanding Wildlife Area--7 days after current year's drawing

- Chain O Lakes--7 days after current year's drawing except blind numbers 23, 24, 25, 26, and 27 must be removed in their entirety by May 1.

- Des Plaines River--February 1

- Patterson Lake--7 days after the current year's drawing

- Helmhold Slough--7 days after the current year's drawing

- Illinois River Pool 26--7 days after the current year's drawing

- Kankakee River--February 1

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Sake-Sinistopoli-blind-drawing-date-except-blind-numbers-17-27
37-47-137-147-157-167-207-217-237-267-277-287-307-31-and-32-must
be-removed-in-their-entirety-by-May-17

Marshall-County-Conservation-Area-Spartan-Unit-February-17

Mississippi-River-Pools-167-177-187-217-227-247-257-267-277-days
after-the-current-year's-drawing

Pekin-Lake-the-blind-drawing-date

Pleasant-days-after-the-current-year's-drawing

Red's-Banding-17-days-after-the-current-year's-drawing

Redwing-Slough/Deer-Lake-February-17-access-for-blind-removal-by
appointment-with-state-manager

Riprap-Banding-17-days-after-the-current-year's-drawing

Starved-Rock-State-Park-February-17

William-Powers-February-17

57 Blind-sites-shall-be-allocated-for-the-period-as-needed-by-a-public
drawing-etc
Banding-Wildlife-Area-17-year

Chain-O-Lakes-17-year

Des-Plaines-River-17-year

Heimbald-Slough-and-Puffer-Lake-13-years

Horseshoe-Lake-State-Park-Medison-County-17-year

Illinois-River-Pool-26-and-Pleasant-Island-13-years

Kankakee-River-17-year

Sake-Sinistopoli-17-year

Marshall-County-Conservation-Area-Spartan-Unit-17-year

Mississippi-River-Pools-167-177-187-217-227-247-257-267-277-287-307-31-and-32-years

Mississippi-River-Pools-257-267-277-287-307-31-and-32-years

Pekin-Lake-17-year

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Red's-Banding-and-Riprap-Banding-13-years

Redwing-Slough/Deer-Lake-17-year

Starved-Rock-State-Park-17-year

William-Powers-17-year

17 Re-registration-Process-for-12-year-and-13-year-Blind-Allocation
Sites

17 Mississippi-River-Pools-217-227-247-257-267-277-287-307-31-and-32-River
Pool-267-Puffer-Lake-Heimbald-Slough-Red's-Banding-Riprap
Banding-and-Pleasant

In-these-years-when-blind-sites-are-allocated-by-re-registration
at-least-one-of-last-year's-registered-blind-builders-from-each
blind-site-must-be-present-in-order-to-re-register-that-blind
owner-Registration-must-be-over-16-years-of-age-and-have-in-his
possession-the-current-year's-111-nots-hunting-license-for
himself-and-his-blind-partners-entire-to-re-register-during
prescribed-period-shall-result-in-loss-of-blind-site

27 Blind-builders-may-not-be-added-or-transferred-to-another-blind
after-the-current-blind-registration-has-occurred

37 Mississippi-River-Pools-167-177-and-187

Blind-builders-must-re-register-blinds-by-mail-or-phone-for-the
second-year-of-the-2-year-allocation-blinds-not-re-registered
prior-to-2-weeks-before-duck-season-will-be-allocated-for-the
second-year-of-the-2-year-period-on-a-first-come-first-served
basis-by-calling-the-District-Wildlife-Manager-beginning-2
weeks-before-duck-season-from-9-a.m.-to-12-noon

17 At-William-Powers-fishing-from-boats-during-waterfowl-season-is
unlawful-Fishing-from-the-shore-in-areas-posted-as-waterfowl-hunting
areas-during-waterfowl-hunting-season-is-unlawful

17 Blind-winters-on-the-following-sites-will-be-provided-forms-for-the
purpose-of-maintaining-waterfowl-harvest-records-The-forms-must-be
completed-and-returned-within-15-days-after-the-close-of-the-site's
waterfowl-season-or-the-blind-builder-and-partners-for-that-blind
shall-not-be-allowed-to-be-a-blind-builder-or-partner-at-these-sites
for-the-following-year

Chain-O-Lakes-of-Sakes-State-Park

Des-Plaines-Conservation-Area

Kankakee-River-State-Park

Redwing-Slough/Deer-Lake

William-Powers-Conservation-Area

Source: Amended at 13 111 Reg. effective 13209

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Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

The sites listed at--Sites--covered in this Section conform to Statewide Regulations (Section 590.10), and General Department Regulations (Section 590.30) and the following regulations, except as noted, in--the--remainder--of this--Section--these--sites--are:

Braidwood-Bake
Cache-River-State-Natural-Area
Campbell-Pond-Wildlife-Management-Area
Earlyie-Lake-Project-Lands-and-Waters
Cedar-Bake
Chauncey-Marsh
Clinton-Lake-State-Recreation-Area
Crab-Orchard-Refuge
Bog-Island-Wildlife-Management-Area
Bonnetley-State-Wildlife-Area
Bldon-Hazlet-State-Park
Fox-Ridge-State-Park
Pt--de-Chartres-Historic-Site
Heidecke-State-Fish-and-Wildlife-Area-and-Powerton-Bake
Horseshoe-Bake-Conservation-Area--(Alexander-County)--Daily-Breeding
Waterfowl-Hunting-Area--Only
Horseshoe---Lake--Conservation--Area--(Alexander--County)--Public
Hunting-Area
Horseshoe-Lake-State-Park--(Madison-County)
Jettiet-Army-Ammunition-Spent
Kaskaskia-River-Fish-and-Wildlife-Area

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Kidd-Lake-State-Natural-Area--no-permanent-blinds--allowed--

Kinkaid-Lake-Fish-and-Wildlife-Area

Lake-Sherbyville

Lake-Sherbyville-Fish-and-Wildlife-Management-Area

Marmet-Lake-Conservation-Area

Mississippi-River-Area-Fish-and-Wildlife-Area

Oakford-Conservation-Area

Pike-County-Conservation-Area

Powerton-Lake--(Regulations-combined-with-Heidecke-Bake)

Rend-Lake-Project-Lands-and-Waters

Rice-Lake-Conservation-Area

Saline-County-Conservation-Area

Sangamon-Conservation-Area

Sangeris-Lake-State-Park

Shawnee-National-Forest--Shuff-Bake

Shawnee-National-Forest--SaRue-Scatters

Shawnee-National-Forest--Oakwood-Bottoms--(West-of-the--Big--Muddy
River)

Stephen-A--Forbes-State-Park

Ten-Mile-Creek-State-Fish-and-Wildlife-Area

Turkey-Buffs--Fish--and-Wildlife-Area--(All-hunters--must--sign--in
and--out--and--report--kill--no-permanent-blinds--allowed)

Union-County-Conservation-Area--(firing-line-Waterfowl--Management
Area)

a) Regulations

- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated with a "1)".

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- 2) No permanent blinds allowed; all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
- 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
- 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties.
- 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites and 300 yards from power lines.
- 6) No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section.
- 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of waterfowl season through the waterfowl season except as indicated in the remainder of this Section.
- 8) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site.

b) Site specific regulations

- †† Bratwood-Bake
- A† Definitions
- †† Boat--blind--(water--blind)---a--portable--form--of--boat which must be completely concealed--(including--final brushing)--before--entering--the--area
- ††† Water--blind--site---a--position--within--50--yards--of--a numbered--stake--or--buoy--or--a--position--between--two like--numbered--buoys--where--a--blind--may--be--located
- †††† Daily--draw---procedure--by--which--blinds--or--blind--sites are--allocated--daily
- ††††† Refuge---an--inviolate--area--on--which--all--hunters--and the--general--public--may--not--trespass
- B† Waterfowl--hunting--shall--be--permitted--on--Department--leased--or managed--lands--and--waters--only--at--designated--blind--sites
- C† Water--blind--sites--shall--be--determined--by--the--Department--of Conservation--and--marked--with--a--numbered--stake--or--buoy
- B† Blind--sites--shall--be--allocated--on--a--daily--draw--basis conducted--at--the--check--stations--90--minutes--before--hunting time--Hunters--shall--register--as--parties--for--the--drawing--each--party--drawn--will--be--allowed--to--select--blind--sites--in order--drawn--only--those--hunters--registered--in--party--shall--be allowed--to--hunt--with--their--party--no--more--than--three--hunters per--party--persons--under--the--age--of--16--shall--not--be--allowed to--hunt--unless--accompanied--by--an--adult
- B† Blind--sites--not--selected--during--the--drawing--shall--be allocated--on--a--first--come--first--served--basis--vacant--blind

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- ††† No--blind--sites--shall--be--allocated--after--10:00--a.m. Hunters--wishing--to--move--to--another--blind--site--must--report--this--move--to--the--check--station--attendant--in--person--before--such--a--move--except--that--after--10:00--a.m.--daily--hunters--may move--to--a--vacant--blind--site--without--notifying--attendant--but such--a--move--must--be--reported--when--checking--out
- B† Hunting--shall--be--from--boat--blinds--with--a--minimum--length--of 16--feet--and--a--minimum--60--inch--beam--and--must--have--a gas--powered--motor
- H† Access--to--blind--sites--shall--be--by--boat--only--and--from designated--boat--launch--sites
- †† No--more--than--3--persons--shall--use--one--blind--Portable--boat blinds--must--have--been--completed--including--final--brushing--before--entering--the--area--and--be--removed--at--the--end--of--each hunting--day
- ††† Daily--hunting--hours--will--be--legal--opening--time--to--12:00 Noon--Upon--vacating--blinds--all--hunters--must--report--to--the check--station--within--1--hour--At--this--time--waterfowl--tagged must--be--checked--in--and--displayed--to--the--station--operator--and hunting--licenses--returned
- K† Each--hunting--party--is--required--to--hunt--over--a--minimum--of--12 decoys--Decoys--must--be--picked--up--immediately--after--the--hunt is--over
- B† No--unauthorized--pits--or--blinds--shall--be--built--on--Department leased--or--managed--land--or--water
- M† Bratwood-Bake--shall--be--closed--to--all--fishing--and--boat traffic--from--2--weeks--prior--to--duck--season--through--the--day before--duck--season--and--be--closed--to--all--fishing--during waterfowl--seasons--commencing--with--duck--season
- N† No--hunting--allowed--on--Monday--and--Tuesday
- Q† Bayout--boats--approved--in--advance--by--the--site--superintendent shall--be--permitted--A--bayout--boat--is--defined--as--a non-motorized--flat--bottom--low--profile--boat--in--which--the sides--are--continuous--with--the--front--deck--and--slope--inward toward--the--opening--rather--than--the--usual--outward--slope Such--bayout--boats--must--be--attended--at--all--times--by--a nonhunting--tender--boat--that--is--at--least--16--feet--with--a--60 inch--beam--Bayout--boats--are--restricted--to--open--water--and designated--tender--boat--location
- P† No--guns--may--be--carried--on--water--blinds--to--retrieve waterfowl--that--fall--off--tender
- Q† Hunting--is--closed--on--Christmas--day
- R† All--water--streams--not--posted--with--a--boat--launch--or--a refuge--and--are--closed--to--all--boat--traffic--except--by authorized--personnel
- S† It--is--unlawful--to--shoot--any--game

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- g) Waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during goose seasons held prior to duck season is permitted.
- h) In the event of adverse water and/or weather conditions such as flooding, high winds, or heavy fog, hunting shall be prohibited.
- 1) Cache River State Natural Area (1)
- A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.
- B) Dedicated Nature Preserve areas are closed to hunting.
- 2) Campbell Pond Wildlife Management Area (1)
- A) Blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.
- 3) Carlyle Lake Project Lands and Waters
- A) Hunting hours for waterfowl are statewide opening hour until 4:00 p.m.
- B) Waterfowl and coot hunting only shall be permitted in the subimpoundment area except in clearly posted rest areas or developed recreation areas or within 500 feet of construction sites or developed recreation areas during waterfowl season.
- C) No permanent blind, goose pits or other structural works may be constructed or dug on State managed lands at any time except that the U.S. Army Corps of Engineers may build permanent blinds for disabled or handicapped hunters. All other blinds must be portable in nature or constructed of natural vegetation located at the blind site and must be removed at the end of the day's hunt.
- D) It is unlawful to enter the subimpoundment area during the 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 4:30 a.m. each day of the waterfowl hunting season, and no one may remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4 and the Hurricane Creek Area (as defined in subsection (b)(3)(E)) 599-604b744H.
- E) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the cays only.

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- and Hurricane Creek that are within the boundaries of the Carlyle Lake property.
- C) Individual float tubes (not to exceed 42" diameter) and capable of supporting only one person may be used.
- D) Only walk-in hunting shall be permitted in the subimpoundment areas. When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Conservation personnel shall post that the area is open to boats and will designate boat launching locations. Boats and electric trolling motors only are allowed only at these times in the subimpoundment areas.
- E) In the subimpoundment areas, compartments 3 and 4 will be waterfowl rest areas during the entire waterfowl season. No waterfowl hunting shall be permitted on Hurricane Creek area which is defined as the area bordered by the Kaskaskia River on the South, D levee on the west, the Texas Oil Company pipeline on the north, and C levee on the east. No hunting within 50 yards of D levee (which surrounds subimpoundment 3) or F levee (which surrounds subimpoundment 4) is permitted. No trespassing will be allowed, except for hunters boating through the Hurricane Creek area to hunt north on Hurricane Creek or in the subimpoundments. At the close of duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will be closed to goose hunting.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.
- G) A minimum of 200 yards shall be maintained between waterfowl hunting parties. A hunting party shall be defined as an individual or group of hunters occupying a single boat blind or hunting site.
- H) No person shall tamper or attempt to manipulate any of the waterfowl pump or structures in the subimpoundment area.
- I) No motor-driven vehicles are allowed in the subimpoundment area except those operated by Department of Conservation or Corps of Engineers personnel.
- J) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest registration box located at the access parking lot. All hunters must sign out and record their harvest daily before they exit the area.
- K) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.
- L) During the last 3 days of Canada goose season, hunting hours

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shall close at sunset daily.

- 5) Cedar-Bake
All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.
- 1)6) Chauncey Marsh (1)
A) Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.
B) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees is prohibited.
C) Dedicated Nature Preserve area is closed to hunting.
- 5)7) Clinton Lake (1)
A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season shall be forfeited.
B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southernmost point of the central peninsula to the Davenport Bridge and within 200 yards of developed recreation areas construction and industrial sites or within 300 yards of electrical power lines.
C) Hunting parties must maintain a minimum distance of 200 yards apart.
D) No more than 4 persons shall occupy or use a portable boat blind.
E) Portable boat blinds must have been completed including final brushing before entering the water and must be removed at the end of each hunting day.
F) Each hunting party is required to hunt over a minimum of 12 decoys.
- 6)8) Dog Island Wildlife Management Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at end of each day. All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.
- 7)9) Donnelley State Wildlife Area
A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first, third, Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 of the central zone duck season except as indicated in Section 590.25 590.26.
B) Hunting hours start at one from sunrise to 12 Noon.
C) Goose hunting is prohibited after the close of the duck

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season.

- D) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.
E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.
F) \$10.00 daily usage stamp must be purchased to hunt this area.
G) No outboard motors are allowed by public - only by authorized DOC personnel.
H) No more than 3 persons shall occupy a blind at any one time.
I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 2:00 p.m. ± p.m.
J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
K) The first weekend and the third Saturday of the waterfowl season shall be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).
10) Eldon-Hazlet State Park
A) Hunting hours close at 1:00 p.m.
B) Waterfowl and coot hunting shall be permitted except in clearly posted refuge areas or developed recreation areas or within 500 feet of construction sites, developed recreation areas, fisheries, rearing ponds, roadways and residences.
8)11) Fox Ridge State Park (1)
A) Hunting restricted to Embarras River and its flood waters.
B) No permanent blinds of any kind or other structural works are permitted.
C) No pits shall be dug, built or occupied.
9)12) Fort de Chartres Historic Site (1)
A) No check station.
A) Hunting is allowed from anchored, portable boat blinds only on a first-come, first-served basis, no permanent blinds allowed.
C) Portable boat blinds must have been completed including final brushing before entering the area and must be removed at the end of each hunting day.
B) Hunting parties must maintain a minimum distance of 200 yards apart.

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B)† Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

C) Muzzleloading shotguns only.

D)† No hunting is allowed during firearm deer season.

10)† Heidecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake

A) Definitions:

†† Boat-blind-(water-blind)-a-portable-form-of-boat which-must-be-completely-concealed-including-final brushing-before-entering-the-area.

†† Water-blind-site-a-position-within-10-yards-of-a numbered-stake-or-buoy-where-a-blind-may-be-located.

††† Batty-draw-procedure-by-which-blinds-or-blind-sites are-allocated-daily.

††† Refuge-an-inviolate-area-on-which-all-hunters-and the-general-public-may-not-trespass.

B) Waterfowl-hunting-shall-be-permitted-on-Department-leased-or managed-lands-and-waters-only-at-designated-blind-sites.

C) Conservation-and-marked-with-a-numbered-stake-or-buoy.

A)† Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. At-Heidecke-Lake-hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

B)† Blind sites not selected during the drawing shall be allocated on a first-come, first-served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No-blind-sites-shall-be allocated-after-the-drawing-until-one-hour-after-legal hunting-time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.

P)† Hunters-wishing-to-move-to-another-blind-site-must-report this-move-to-the-check-station-attendant-in-person-before such-a-move.

C)† Access to water blind sites must be by boat only and from designated boat launch sites.

D)† All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind. Portable-boat-blinds-must have-been-completely-including-final-brushing-before-entering-the-area-and-be-removed-at-the-end-of-each-hunting

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day.

E)† Batty-hunting-hours-shall-be-legal-opening-time-to-12:00 Noon. Upon vacating blind sites blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.

F)† Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

K) No-unauthorized-pits-or-blinds-shall-be-built-on-Department leased-or-managed-land-or-water.

G)† Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake shall be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters; and closed to all unauthorized entry during the waterfowl season.

H)† No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes Lake. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.

I)† It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor-however-layout-boats-approved-in-advance-by-the-site-superintendent-will-be-permitted-A layout-boat-is-defined-as-a-nonmotorized-flat-bottom-tow-profile-boat-in-which-the-sides-are-continuous-with-the front-deck-and-slope-inward-toward-the-opening-rather-than the-usual-outward-slope-Such-layout-boats-must-be-attended at-all-times-by-a-nonhunting-tender-boat-that-is-at-least-16 feet-with-a-60-inch-beam-and-is-powered-by-a-gasoline-motor. Layout-boats-are-restricted-to-open-water-blind-sites. Tender-boats-must-anchor-as-close-as-possible-to-the-center dike.

J)† No guns may be carried from water blinds to retrieve waterfowl that fall on land.

K)† Hunting is closed on Christmas Day and New Year's Day.

L)† All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.

M)† It is unlawful to shoot across any dike at Heidecke-Lake.

N)† Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes Lake waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season at-Powerton-Lake.

O)† In-the-event-of-adverse-weather-and/or-unfavorable-conditions-such-as-flooding-high-wind-or-heavy-fog-starting-with-the

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Prohibited:

11)14 Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only

A) Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Tuesdays or December 24, 25, 26 and on the day of the Youth Goose Hunt (this site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.25).

B) Hunting shall be done from assigned blinds only.

C) A daily drawing for assigned blind sites will be held 60 minutes prior to legal hunting hours at the check station each day hunting is allowed. For the drawing, hunters must register as a party; no more than two people per party are permitted.

D) Hunters must deposit their license prior to going to their blinds.

E) Hunters must park in assigned, designated areas only.

F) Hunters must hunt over a minimum of 12 Canada goose decoys.

G) Hunters ~~daily hunting hours will be from sunrise to 12 Noon~~ hunters must return to the check station and report their harvest by 2:00 1:00 p.m.

H) Hunters may not possess more than 5 shells for each Canada goose or subspecies allowed in the daily bag.

I) Hunters cannot move from blind to blind, nor leave the assigned blind to shoot crippled geese; hunters may leave the assigned blind to retrieve crippled geese, but must leave their guns in the blind.

12)15 Horseshoe Lake (Alexander County) Public Hunting Area

A) No permanent blinds may be built.

B) Daily hunting hours close at 12:00 Noon.

16) Horseshoe Lake State Park (Madison County) and Mississippi River Area - Fish and Wildlife Area includes Batchtown, Catboun Point, Slades, Godar Diamond, Stump Lake, Putler Lake, Heimboldt, Slough, Piasy, Red's Banding, Illinois River, Pool 267, Riprap Banding and Mississippi River Pools 25 and 26.

A) A pothole cleared of all weeds and brush for a 40-yard radius is required around all blind sites.

B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season; after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.

C) Sites on which blinds have not been built as well as sites on which blinds of an unsatisfactory quality have been built and have failed the inspection pursuant to Section 590.30(e), shall be given one week to correct deficiencies. Blinds failing the second inspection shall be reassigned to

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alternates selected at a drawing or by a first-come first-served basis on a day publicly announced by the Department. All reassigned blinds must be completed including final brushing in advance of the opening date of the waterfowl season.

13) Horseshoe Lake Refuge (no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1)

14)17 Joliet Army Ammunition Plant (Will County)

A) Hunters must waterfowl hunting hours are from statewide opening until 12 noon with check out by 2:00 1:00 p.m. A daily drawing will be held at the check station 60 minutes prior to legal hunting hours on each day hunting is allowed. A daily fee of \$5.00 per person will be charged for waterfowl hunting.

B) Only walk-in hunting will be permitted; blinds must be portable in nature or constructed of natural materials located at the blind site, and must be removed at the end of the day's hunt. A maximum of 3 hunters per blind will be allowed.

C) The site shall be closed to waterfowl hunting on Mondays, Tuesdays, Fridays, Thanksgiving, Christmas, New Year's Day, and during site firearms deer hunts.

D) Waterfowl hunters must hunt within 50 feet of the blind location marker. All movement on-site must be directly between the check station and blind location. Entry into restricted areas shall result in the loss of hunting privileges at the site for the remainder of that season.

15)18 Kaskaskia River Fish and Wildlife Area

A) Hunting hours are statewide opening hour until 1:00 p.m. during the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.

B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first-come, first-served basis, and hunt at least 200 yards from the next hunting party.

C) No permanent blinds allowed on the area. No one has any prior claim or right to any blind site. First-come first-served rule prevails. Blinds shall be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of each day's hunt.

D) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.

E) No one under 16 years of age shall hunt or attempt to hunt on the area unless accompanied by an adult due to safety

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Factors:

D) Between the Highway 13 and Highway 154 bridges, all hunters are required to sign out and report harvest daily at the nearest check station.

E)† The following regulations apply to the Doza Creek Waterfowl Management Area:

- i) ~~this area shall be closed to all public use 3 days prior to waterfowl hunting season.~~ No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
- ii) Only waterfowl, coot and archery deer (as provided by 17 Ill. Adm. Code 670) hunting allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.

16) Kidd Lake State Natural Area (1)17)†† Kinkaid Lake Fish & Wildlife Area (1)

- A† No permanent blinds.
- B† Temporary blinds only.
- C† 200 yards apart

20)† ~~Backe-Berue (walk-in area)~~
 A† Blinds will be allocated by a daily drawing held 1 hour before hunting time.

- B† Hunting hours are from sunrise to 12 noon daily.
- C† All hunting shall be from designated blinds only.
- B† Refilling or changing blinds will not be permitted.
- B† Goose hunting is prohibited after the close of the duck season.

P† All parties must hunt over a minimum of 12 decoys.

G† No boats are allowed in the walk-in area.

H† The walk-in area will be closed to hunting on November 14 (this is to accommodate the Youth Duck Hunt).

†† All parties are required to report to the check station within 1 hour after termination of hunt or no later than 1 p.m.

18) Lake Shelbyville (except for land/waters covered in subsection 590.60(b)(19)) (1)19)†† Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

- A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 4:00 a.m. and 5:00 a.m. Central Daylight Time (3:00 a.m. and 4:00 a.m.

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Central Standard Time† at the check station on those days. Each party drawn shall be allowed to choose one of the states in the waterfowl area. Parties must select states in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply:

- i) All parties must hunt within 10 yards of their assigned stake.
- ii) All parties must be in place by one-half hour before hunting time.
- iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.

C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first-come, first-served basis except as noted in subsections (A) and (B) above. A hunting party must hunt within 10 yards of the stake.

B† ~~Baiting hunting hours shall be from legal opening to 1:00 p.m.~~
B† ~~Waterfowl hunters must maintain a distance of 200 yards between parties except as described in subsection (B) above.~~
D)† Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

G† ~~The building of permanent blinds of any kind or other structural works is prohibited. All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.~~

H† ~~No goose pits shall be built or dug.~~

E)† ~~Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.~~

F)† ~~Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.~~

G)† ~~During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.~~

H)† ~~A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.~~

20)†† ~~Mercedosa Lake - Cass County Portion Only (meandered waters only) shall be created as protected from settling or meandered~~

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waters--except--non-motorized-boats--may--be--used--to--assist--in--the retrieval--of--waterfowl--shot--from--private--land--from--the--period from--one--week--before--waterfowl--season--opens--until--the--season closes--hunting--and/or--any--other--activity--is--prohibited--during the--period--from--one--week--before--waterfowl--season--opens--until--the season--closes

A) All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes.

B) Hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes.

21)23) Mermet

A) Waterfowl hunting shall be permitted only during the duck hunting season.

B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.

C) The daily drawing shall be held one hour prior to legal opening hunting time.

D) All members of the hunting party shall register as a group (not to exceed 4 persons people per group) for the purpose of the drawing.

E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond with particular blind sites located along the levee road.

F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.

G) Daily--hunting--hours--shall--be--the--legal--opening--until--12:00 Noon--local--time

H) All-boats--are--prohibited--from--entering--the--daily--posted waterfowl--refuge--(Main--Lake)--from--October--1--until--the--close of--the--waterfowl--season

22)24) Oakford Conservation Area (1)

A) All-blinds--must--be--portable--No--permanent--blinds

B) Waterfowl-hunters--must--maintain--a--distance--of--200--yards between--hunting--parties

23)25) Pike County Conservation Area (1)

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Statewide season regulations apply except that the season closes November 30 in Area A and December 15 in Area C, or the legal statewide closing, whichever is earlier.

24)26) Rend Lake Project Lands and Waters

A) All-blinds--must--be--of--a--portable--nature--or--constructed--with natural--vegetation--located--at--the--blind--site--and--must--be removed--or--dismantled--at--the--end--of--the--day--g--hunt

B) No--goose--pits--or--permanent--blinds--shall--be--dug--or--built--on Project--lands

A)E) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.

B)F) No hunting permitted from the subimpoundment dams.

C)J) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.

F) The--distance--between--waterfowl--hunting--parties--shall--be--no less--than--300--yards

D)G) No waterfowl hunting permitted within 200 yards of any Whistling Wings Access Area daily drawing blind/pit.

E)H) All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subimpoundments from 1 2 week weeks before waterfowl season until March 1 except--that boats--used--by--waterfowl--hunters--are--permitted--in--the subimpoundments--from--4:30--a.m.--until--2--p.m.--during--the waterfowl--season--except--during--the--last--3--days--of--the Canada--goose--season--boats--used--by--waterfowl--hunters--are permitted--in--the--subimpoundments--from--4:30--a.m.--until--one hour--after--sunset

F)I) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.

G)J) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows: allocated--by--a--daily--drawing--at 5:30--a.m.

i) During goose season, a separate drawing will be held for the 4 pits at Whistling Wings. This drawing will be held at 4:30 a.m. daily at the Bonnie Dam Access Area. Hunters may not register for more than one drawing per day.

ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.

iii) Two standby parties will be drawn for pit refill after move-up of initial hunting parties, in the reverse order of the order the pits were drawn.

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- iv) No more than four (4) dozen decoys may be used per pit.
- v) No more than four (4) hunters will be allowed in a pit or hunting party.
- H)K) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.**
- L)B) During Batty-hunting-hours--for--waterfowl--shall--be--from legal--opening--time--to--1:00-p.m.--except--during the last 3 days of Canada goose season, hunting hours shall close at sunset daily.**
- J)M) The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:**
- Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
 - Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
 - Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
 - Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
 - Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
 - Bounded on Nason Point by refuge boundary signs at project limits.
- K)N) After the close of duck season, goose hunters may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.**
- L) Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:**
- All hunting must occur within 10 yards of an assigned, numbered stake and only one hunting party may occupy a staked site at any given time.
 - Stakes will be assigned via a daily drawing held at 1:00 a.m. during November and at 4:30 a.m. during the remainder of the season at locations to be publicly announced. Check stations will be open from 1/2 hour before drawing time to 9:30 a.m. daily.
 - Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than five (5) persons shall be in a hunting party.
 - Hunters (including those who are not drawn in the 4:30 a.m. drawing) will not be allowed to enter the staked

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- area until 9:00 a.m. No hunting party may enter the staked area after 9:30 a.m. Hunters will not be allowed to enter the staked area between 9:00 a.m. and 9:30 a.m. unless there are vacant staked hunting locations.
- When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first-come, first-served basis.
 - When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
 - Hunters must sign in and out and report their harvest on the cards at the access area where they launch.
- 27) Rice-Bake-Walk-in-and-Coppers-Creek-Management-Units**
- Hunting-shall-be-alternated-between-units--every--day--beginning-with-opening-day-at-the-walk-in-unit--and-shall-be-limited-to-20-hunters-per-day.
 - Hunters--shall--be--determined--by--a--daily--drawing--at-the-designated-check-station.
 - Hunting-hours-shall-be-from-legal-opening-time--until--12:00 Noon.
 - Walk-in-hunting-only.
- 25)20) Saline County Conservation Area (11)**
- Waterfowl hunting is allowed north of the township road only.
 - Walk-in hunting only.
 - Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
- 26)20) Sanganois Conservation Area (Walk-in Areas)**
- Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
 - Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.
 - All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.
 - Upon the completion of hunting, hunters must report to the check station within one hour.
 - Fishing is prohibited in the impoundment areas during the waterfowl season.
 - No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.
 - No person shall trespass on the Marion-Pickel Waterfowl

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Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.

- H) ~~Walk in area--legal--opening--until--12:00--noon--during--duck season.~~ When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.

- I) No hunting permitted from the walk-in area subimpoundment levee.

27130+ Sangchris Lake State Park

- A) ~~During Hunting--hours--are--legal--opening--until--12:00--Noon--except--during--the--firearm--deer--season--hunting--hours--shall--cease--at--10--a.m.--and--waterfowl--hunters--must--be--off--the--lake--by--11--a.m.--and--during--the--last--3--days--of--Canada--goose season, hunting hours will close at statewide closing. No waterfowl hunting the 1st day--of--firearm--deer--season--in--November--or--the--1st--day--of--firearm--deer--season--in--December.~~ Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first-come, first-served basis. (During that portion of the goose season which follows the duck season, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)

- C) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

- D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.

- E) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (J) Section--590-604b+307k+) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.

- F) No more than 4 persons shall occupy a blind at one time.

- G) ~~Waterfowl hunting shall be permitted on State--leased--lands and--waters--in--the--Sangchris--Lake--State--Park--area--except--in--duly--posted--refuge--areas--developed--recreation--areas--a minimum--of--300--yards--from--all--high--lines--and--all--feet--from--construction--or--industrial--sites.~~ The center arm of the

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lake shall be closed to all waterfowl hunting.

- H) Blind sites shall be determined by the Department of Conservation and marked with a numbered stake. When it is deemed necessary, the Department of Conservation shall remove, move or close blind sites in order to carry out the operations of the overall management program.

- I) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

- J) Access to blind sites shall be by boat only and from designated boat launch sites. ~~A corridor--located--north--of--the--Middle--Peninsula--along--the--southern--edge--Corridors--located--along--the--edges--of--the--existing--refuge--will--be--established--to--provide--access--to--all--available--blind--sites--as--designated--by--site--superintendent--when--conditions--warrant--either--arm--of--the--lake.~~

- K) All hunting must be from 1 portable blind or 1 anchored portable boat blind located within a numbered cove and between the assigned numbered stakes. ~~Portable--blinds--or--boat--blinds--must--have--been--completed--including--final--brushing--before--entering--the--area--and--removed--at--the--end--of--each--hunting--day--cutting--of--natural--vegetation--for--any--purpose--is--unlawful.~~

- L) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

- M) No pits or blinds shall be built on State leased or Commonwealth Edison land.

- N) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.

- O) ~~Corridor--Water--travel--lane--during--waterfowl--season--only--for--boating--back--and--forth--to--blind--sites.~~

- P) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.

- Q) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

- R) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Conservation will close the lake area to all fishing and all boating activity except for non-water hunting programs.

- S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. ~~Decoys must be~~

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removed at the end of each day's hunt. Hunters must be at least 200 yards from the nearest hunting party. Hunting hours are legal opening until 12 noon except during the firearm deer season when hunting hours cease at 10 a.m. and waterfowl hunters must be out of the area by 11 a.m. No waterfowl hunting on the first day of the November or December firearm deer seasons. Regulations in subsection 590-68a(30)(b) also pertain to this hunting area.

28) Shawnee National Forest, Upper and Lower Bluff Lakes

A) Goose hunting is prohibited.

B) Hunting hours--legal opening until noon.

C) No permanent blinds or other structures may be constructed on the site.

29) Shawnee National Forest, LaRue Scatters

A) All hunting must be by walking in or in boats without motors.

B) Hunting hours for waterfowl in this area shall close at 12:00 Noon local time.

C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.

30) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

A) All hunting must be by walking into the area.

B) Hunting hours for waterfowl on this area shall close at 12:00 Noon local time.

C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.

D) Each hunting party must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.

E) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.

31) Stephen A. Forbes State Park

A) Bait hunting hours are legal open to 1:00 p.m.

B) On the main lake hunting is allowed from a boat blind only in the designated areas and must be within 100 yards of a staked location.

C) Only walk-in hunting is allowed in the sub-impoundment. Hunting must occur within 100 yards of a staked location.

D) Hunting shall be allowed on a first-come, first-served basis. All hunters must use 12 decoys, minimum.

32) Sunspot Mine (Schuyler and Walton Counties)

A) No permanent blinds may be built.

B) Temporary blinds only 200 yards apart.

32) Ten Mile Creek Fish and Wildlife Area (1)

A) Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15 to the State Wildlife Manager. Permit box 337, 31st St. B-52454.

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B) All blinds must be of portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.

C) No goose pits or permanent blinds shall be dug or built on State lands.

D) The distance between waterfowl hunting parties or blind sites shall be no less than 300 yards.

E) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

F) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area Refuge designation has been given to that part of the Belle River unit that lies south of Auxier Creek and is posted as Rest Area Refuge, and the 250 acre tract at the Western edge of the Eads Mine unit.

G) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.

33) Turkey Bluffs State Fish and Wildlife Area (All hunters must sign in and out and report kill) (1)

A) Union County (Firing Line Waterfowl Management Area)

B) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.

C) This area shall be closed at 12 noon during the goose season.

D) During goose season waterfowl hunters may not possess more than 5 shells for each Canada Goose allowed in the daily bag.

E) During goose season waterfowl hunting from staked sites only.

(Source: Amended 19 Ill. Reg. 13209, effective SEP 1 1995)

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1) Heading of the Part: Clean Fuel Fleet Program

2) Code Citation: 35 Ill. Adm. Code 241

3) Section Numbers: Adopted Action:

241.101 Adopted
 241.102 Adopted
 241.103 Adopted
 241.104 Adopted
 241.110 Adopted
 241.111 Adopted
 241.112 Adopted
 241.113 Adopted
 241.114 Adopted
 241.115 Adopted
 241.130 Adopted
 241.131 Adopted
 241.140 Adopted
 241.141 Adopted
 241.142 Adopted
 241.Appendix A Adopted
 241.Appendix B Adopted

4) Statutory Authority: 415 ILCS 5/27.

5) Effective Date of Rulemaking: September 11, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes. See Section 241.104.

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking? No approval from JCAR was necessary as all incorporations are pursuant to Section 6.02(a) of the Illinois Administrative Procedure Act.

8) Date Filed in Agency's Principal Office: September 7, 1995

9) Notice of Proposal Published in Illinois Register:
 17 Ill. Reg. 6101, April 28, 1995.

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

1) In the index, under Section 241.Appendix A, Table 1a, delete "1a" and change to "A"

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- 2) In the index, under Section 241.Appendix A, Table 1b, delete "1b" and change to "B" and delete "Credit Generation Acquiring Light Duty ULEV or ZEV Clean Fuel Vehicles and replace with "Ultra-low Emission Vehicle (ULEV) Standards for Light-Duty Clean Fuel Vehicles (g/ml)".
- 3) In the index, under Section 241.Appendix A, Table 1c, delete "1c" and change to "C" and, add "Fueled" after "Flexible-".
- 4) In the index, under Section 241.Appendix A, Table 1d, delete "1d" and change to "D".
- 5) In the index, under Section 241.Appendix B, Table 1a, delete "1a" and change to "A".
- 6) In the index, under Section 241.Appendix B, Table 1b, delete "1b" and change to "B" and add "Credit Generation Acquiring Light Duty ULEV or ZEV Clean Fuel Vehicles and delete "Ultra-low Emission Vehicle (ULEV) Standards for Light-Duty Clean Fuel Vehicles (g/ml)".
- 7) In the index, under Section 241.Appendix B, Table 1c, delete "1c" and change to "C".
- 8) In the index, under Section 241.Appendix B, Table 1d, delete "1d" and change to "D".
- 9) In the index, under Section 241.Appendix B, Table 2a, delete "2a" and change to "E".
- 10) In the index, under Section 241.Appendix B, Table 2b, delete "2b" and change to "F".
- 11) In the index, under the Authority statement, replace the parenthesis with brackets.
- 12) In Section 241.101, delete "Part" after "Code" in the first sentence.
- 13) At Section 241.102, in the definition of "Capable of being centrally fueled": first sentence, delete "can" and replace with "could"; fourth sentence, delete "of this Subpart" after "Section 241.111(a)(10)" in both places it appears; in the first indented paragraph, delete "May 1"; and in the second indented paragraph, second sentence after "location", add "or a contracted refueling station" in both places it appears.
- 14) At Section 241.102, in the definition of "Covered fleet", second sentence, add a comma after person and before "shall".
- 15) At Section 241.102, in the definition of "Heavy-duty vehicle (HDV)",

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delete "Tables 1d, and 2a, 2b, 2c of" and replace with "the tables found in".

16) At Section 241.102, in the definition of "Model year (MY)", delete the second "of" and add a ", " after "e.g." in the parenthesis.

17) At Section 241.102, in the definition of "Motor vehicles held for lease or rental to the general public", delete "vehicles" in the title and replace with "vehicle".

18) At Section 241.102, in the definition of "New covered fleet vehicle", delete "purchaser" and replace with "owner or operator" in both places "purchaser" appears.

19) At Section 241.102, in the definition of "person", delete "State" and replace with "state" in both places "State" appears.

20) At Section 241.102, in the definition of "Under normal conditions garaged at a personal residence", delete "centrally" and replace with "central".

21) At Section 241.102, in the definition of "Vehicle used for motor vehicle manufacturer product evaluations and tests", delete the comma after "motor vehicle manufacturer" and delete the comma after "vehicle component manufacturer" and replace with a semi-colon.

22) In Section 241.103, add to the list of abbreviations after "ALVW", the abbreviation "CAA Clean Air Act as amended in 1990".

23) In Section 241.111(a)(8) and (9), replace parenthesis with brackets and delete "(1992)".

24) In Section 241.112(a)(1), delete "owner" and replace with "owner's".

25) In Section 241.113(b), add a ", " after "i.e.".

26) In Section 241.113(c), delete "owner and add "owner's".

27) In Section 241.113(f)(1), add "of" after "lease".

28) In Section 241.115(c), delete "State" and replace with "state".

29) In Section 241.130(c), add a comma after "from" and before "credit" in the last sentence.

30) In Section 241.130(d), add "and HDV credits may not be exchanged for JDV/LDV credits" after "credits".

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31) In Section 241.131(a), delete "in Tables A, B, D, and E contained in Appendix B of this Part" and replace with "in Section 241.Appendix B: Tables A, B, C, D, E and F".

32) In Section 241.131(b), delete "lc" and replace with "C", and delete "2c" and replace with "F" at the end of the paragraph.

33) In Section 241.140(b)(4)(A), delete "and" after the semicolon.

34) In Section 241.140(b)(4)(B), add "and" after the semicolon.

35) In Section 241.140(c), delete "subsection" and replace with "subsections".

36) In Section 241.140(d), delete "owner" and replace with "owner's".

37) In Section 241.Appendix A, Table 1a, delete "1a" and change to "A".

38) In Section 241.Appendix A, Table 1b, delete "1b" and change to "B", and delete "(G/MI):" under "POLLUTANT" in the table.

39) In Section 241.Appendix A, Table 1c, delete "1c" and change to "C", add "Fueled" after "Flexible-" add "(g/mi)" after "Vehicles", delete "(G/MI):" under "NMOG STANDARD" in the table, and in footnote number 1 add "fueled" after "flexible-".

40) In Section 241.Appendix A, Table 1d, delete "1d" and change to "D" and delete "/" in the table between "LEV" and "CERTIFIED".

41) In Section 241.Appendix B, Table 1a, delete "1a" and change to "A".

42) In Section 241.Appendix B, Table 1b, delete "1b" and change to "B".

43) In Section 241.Appendix B, Table 1c, delete "1c" and change to "C".

44) In Section 241.Appendix B, Table 1d, delete "1d" and change to "D".

45) In Section 241.Appendix B, Table 2a, delete "2a" and change to "E".

46) In Section 241.Appendix B, Table 2b, delete "2b" and change to "F".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of Rulemaking: This rulemaking is explained in detail in the Board's opinion and order adopted on September 7, 1995, Docket R95-12, and is available free of charge from the Clerk's Office at the address in #16 below. Sections 182(c)(4)(A) and 246 of the CAA, require all serious, severe, and extreme ozone NAAs to adopt a CFFP by May 15, 1994. The CFFP requires of certain fleet owners who acquire new motor vehicles, beginning model year 1998 and thereafter, that a specified percentage of these new motor vehicles must be clean fuel fleet vehicles (CFFVs) which meet the federal low emission standards established by U.S. EPA for the CFFP. The proposal has three components to the rule: an applicability/control aspect, a credit program, and recordkeeping and reporting requirements.

APPLICABILITY/CONTROL Sections 241.110-115

This regulation would apply to fleet owners or operators who own, operate, or control at least 10 covered fleet vehicles. A covered fleet vehicle must meet three criteria: 1) the motor vehicle must have less than a 26,000 lbs gross vehicle weight rating (GVWR) and not be exempt, 2) the motor vehicle must be centrally fueled 100% of the time or be capable of being centrally fueled, and 3) the motor vehicle must either be located in or be primarily operated in the Chicago ozone NAA. **1

Owners and operators of a covered fleet, beginning model year 1998, if acquiring new motor vehicles must purchase a percentage of vehicles that meet the federal low emission standard such as a low emission vehicle (LEV), an ultra low emission vehicle (ULEV), or a zero emission vehicle (ZEV).**2 The model year begins on September 1st each year and ends the following year on August 31st. The owner and operator has three compliance options: 1) purchase or lease a CFFV, 2) convert a conventional motor vehicle to a CFFV, and redeem the applicable credits as discussed in the next section. The requirements of the CFFVs are phased in as follows: 1) in model

1)**Section 241.111 exempts certain types of motor vehicles from the CFFP such as motor vehicles held for lease or rental to the general public.

2)**LEV is defined as meaning any LDV or LDT, or any HDV with an engine certified to the applicable federal low emission vehicle standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, incorporated by reference in Section 241.104 of this Subpart. An ULEV is defined as meaning any LDV or LDT, or any HDV with an engine certified to the applicable federal ultra low emission vehicle standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, Subpart A, incorporated by reference in Section 241.104 of this Subpart. A ZEV is defined as meaning any LDV or LDT, or any HDV certified to the applicable federal zero emission vehicle standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, Subpart A, incorporated by reference in Section 241.104 of this Subpart.

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year 1998, 30% of a covered fleet owner's or operator's new covered fleet vehicle light duty vehicle (LDV) or light duty truck acquisitions must be CFFVs, 2) in model year 1999, 50% of new LDVs/LDTs vehicles must be CFFVs, and 3) in model year 2000 and thereafter, 70% of LDVs/LDTs must be CFFVs. (See Section 241.113) For heavy duty vehicles (HDVs), beginning in model year 1998 and thereafter, 50% of new covered HDV fleet vehicles must be CFFVs. (See Section 241.113.)

CREDIT PROGRAM Section 241.130 and 131

The proposal also establishes a credit program in accordance with the federal requirements. A owner or operator may earn credits in one of the following ways: 1) by acquiring additional CFFVs beyond those needed to satisfy the control requirement percentages, 2) by purchasing more stringent CFFVs such as the ULEV or ZEV, 3) by acquiring CFFVs prior to model year 1998 but after the State's CFFP has been approved by U.S. EPA, and 4) acquiring CFFVs which belong to a category that are otherwise exempt. The credit value of the CFFV is eligible to earn will depend on the weight and type of motor vehicle. (See Section 241.131.)

The proposal establishes the Agency as the bank for the credit program. The agency will periodically send participants in the program a report showing all transactions for its credit account. Owners and operators have 180 days to notify the Agency of any discrepancies in the report. If none are reported, the Agency may presume that the report is accurate. (See Section 241.142.)

RECORDKEEPING AND REPORTING Section 241.140-142

By November 1, 1998, and by November 1 every year thereafter, the owner or operator of a covered fleet must submit the information, as set forth in Section 241.140, about its activities during the prior model year to the Agency. Section 241.141 contains recordkeeping requirements for owners or operators of covered fleets. Records required in Section 241.141 are to be retained for at least three years and shall be made available immediately to the Agency upon request. Notwithstanding the above requirement, titles or leases to vehicles no longer under the control of the owner or operator need not be retained.

16) Information and questions regarding these adopted rules shall be directed to:

Charles M. Feinen
100 W. Randolph Street
State of Illinois Center
Suite 11-500
Chicago, Illinois 60601
(312) 814-3473

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On requests for copies from the Clerk's Office, please include the docket number, R95-12:

Dorothy M. Gunn
Clerk of the Board
100 W. Randolph Street
State of Illinois Center
Suite 11-500
Chicago, Illinois 60601

The full text of the Adopted Rule begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 241
CLEAN FUEL FLEET PROGRAM

SUBPART A: GENERAL PROVISIONS

Section	Other Definitions
241.101	Definitions
241.102	Abbreviations
241.103	Incorporations by Reference
241.104	

SUBPART B: GENERAL REQUIREMENTS

Section	Applicability
241.110	Exemptions
241.111	Registration of Fleet Owners or Operators
241.112	Control Requirements
241.113	Conversions
241.114	Operating Requirements
241.115	

SUBPART C: CREDITS

Section	Clean Fuel Fleet Credit Program
241.130	Credit Provisions
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Section	Reporting Requirements
241.140	Recordkeeping Requirements
241.141	Report of Credit Activities
241.142	

APPENDIX A Emission Standards for Clean Fuel Vehicles

TABLE A	Low Emission Vehicle (LEV) Standards for Light-Duty Clean Fuel Vehicles (g/mi)
TABLE B	Ultra-Low Emission Vehicle (ULEV) Standards for Light-Duty Clean Fuel Vehicles (g/mi)
TABLE C	NMOG Standards for Flexible-Fueled and Dual-Fueled Vehicles
TABLE D	Emission Standards for Model Year 1998 and Later Heavy-Duty Vehicles (g/bhp-hr)

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APPENDIX B

Credit Values
TABLE A Credit Generation: Acquiring a Light-Duty Clean Fuel Vehicle before MY 1998 or Acquiring More Light-Duty Clean Fuel Vehicles than Required

TABLE B Credit Generation: Acquiring Light-Duty ULEV or ZEV Clean Fuel Vehicles

TABLE C Credits Needed in Lieu of Acquiring a Light-Duty LEV

TABLE D Credit Generation: Acquiring a Heavy-Duty Clean Fuel Vehicle before MY 1998 or Acquiring More Heavy-Duty Clean Fuel Vehicles than Required

TABLE E Credit Generation: Acquiring Heavy-Duty ULEV or ZEV Clean Fuel Vehicles

TABLE F Credits Needed in Lieu of Acquiring a Heavy-Duty LEV

AUTHORITY: Implementing Sections 9, 9.1, and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27, and 28.5].

SOURCE: Adopted in R95-12 at 19 Ill. Reg. 13265, effective SEP 11 1995.

SUBPART A: GENERAL PROVISIONS

Section 241.101 Other Definitions

Unless otherwise defined herein and unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall have the meanings specified by 35 Ill. Adm. Code 201.102 and 35 Ill. Adm. Code 211. The definitions in Section 241.102 of this Part are applicable only to the provisions of this Part.

Section 241.102 Definitions

"Adjusted loaded vehicle weight (ALVW)" means the numerical average of the vehicle curb weight and the GVWR, as designated by the manufacturer.

"Capable of being centrally fueled" means a motor vehicle that could be refueled 100 percent of the time at a location that is owned, operated, or controlled by the covered fleet owner or operator, or is under contract with the covered fleet owner or operator. Motor vehicles that are under normal conditions garaged at a personal residence are not considered to be capable of being centrally fueled and are exempt from the program unless they are, in fact, centrally fueled. The fact that one or more motor vehicles in a fleet are not capable of being centrally fueled does not exempt an entire fleet from the program. To determine whether a motor vehicle is capable of being centrally fueled 100 percent of the time, the owner or operator shall

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perform the following calculation for each motor vehicle in the fleet for which an exemption under Section 241.111(a)(10) is being claimed, and, annually thereafter, if additional new covered fleet vehicles are acquired and an exemption is claimed under Section 241.111(a)(10):

For each motor vehicle, sum the miles it is driven for a three month period beginning May 1, or the first day of the first full month in which the fleet may be covered.

Divide total miles for the given time period for each motor vehicle by its number of round trips. A round trip occurs each time a motor vehicle leaves its location or a contracted refueling station and returns to its location or a contracted refueling station.

If the average number of miles per round trip for the motor vehicle is less than 300 miles, then the motor vehicle is capable of being centrally fueled.

"Centrally fueled" means a motor vehicle that is fueled 100 percent of the time at a location that is owned, operated, or controlled by the covered fleet owner or operator, or is under contract with the covered fleet owner or operator. Any motor vehicle that is under normal operations garaged at a personal residence at night but that is, in fact, centrally fueled 100 percent of the time shall be considered to be centrally fueled for the purpose of this definition. The fact that one or more motor vehicles in a fleet are not centrally fueled does not exempt an entire fleet from the program.

"Clean alternative fuel" means any fuel (including methanol; ethanol; or other alcohols containing 85 percent or more by volume of such alcohol with gasoline or other fuels; reformulated gasoline; diesel; natural gas; liquefied petroleum gas; and hydrogen) or power source (including electricity) used in a clean fuel vehicle that complies with the standards and requirements applicable to such motor vehicle under this Part when using such fuel or power source. In the case of any flexible fueled vehicle or dual fueled vehicle, the term "clean alternative fuel" means only a fuel with respect to which such motor vehicle was certified as a clean fuel vehicle meeting the emission standards applicable to such motor vehicle weight class as set forth in Appendix A and in 40 CFR Part 88, Subpart A, incorporated by reference at Section 241.104 of this Subpart, when operating on clean alternative fuel.

"Clean fuel vehicle" means a motor vehicle in a class or category of motor vehicles (e.g., LDVs, LDTs, or HDVs) which have been certified by U.S. EPA to meet the clean fuel vehicle standards applicable under Subpart B of this Part.

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"Control" shall have the following meanings:

When it is used to join all entities under common management, means any one or a combination of the following:

Any person that has equity ownership of 51 percent or more in each of two or more firms;

Two or more firms have common officers, in whole or in substantial part, who are responsible for the day-to-day operation of the companies; or

One firm leases, operates, supervises or in 51 percent or greater part owns equipment and/or facilities used by another person or firm, or has equity ownership of 51 percent or more of another firm.

When it is used to refer to the management of motor vehicles, means a person has the authority to decide who can operate a particular motor vehicle, and the purposes for which the motor vehicle can be operated.

When it is used to refer to the management of people, means a person has the authority to direct the activities of another person or employee in a precise situation, such as at the workplace.

"Covered area" means the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry and Will and the Townships of Aux Sable and Goose Lake in Grundy County and the Township of Oswego in Kendall County.

"Covered fleet" means ten or more covered fleet vehicles which are owned or operated by a person. In determining the number of covered fleet vehicles owned or operated by a person for purposes of this Part, all motor vehicles owned or operated, leased or otherwise controlled by such person, and by any person who controls such person, and by any person under common control with such person, shall be treated as owned by such person. Covered fleets include distributed and partially covered fleets.

"Covered fleet owner or operator" means a person who operates, owns, or controls a fleet of at least ten covered fleet vehicles that are located or primarily operated in the covered area (even if the covered fleet vehicles are garaged outside of the covered area).

"Covered fleet vehicle" means a motor vehicle which is:

In a vehicle class for which standards are applicable under this

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Part; and

In a covered fleet which is centrally fueled or capable of being centrally fueled. Covered fleet vehicle shall not include motor vehicles exempt under Section 241.111 of this Part.

"Curb weight" means the empty weight of the motor vehicle, without load or passengers, as designated by the manufacturer.

"Date of vehicle acquisition" means the date on which legal or equitable title was transferred to the current owner or operator of the motor vehicle.

"Dealer" means any person whose primary business is in the sale or the distribution of motor vehicles to a purchaser or an ultimate purchaser.

"Dealer demonstration vehicle" means any motor vehicle that is operated by a dealer solely for the purpose of promoting motor vehicle sales, either on the sales lot or through other marketing or sales promotions, or for permitting potential purchasers to drive the motor vehicle for pre-purchase or pre-lease evaluation.

"Distributed fleet" means a fleet which is owned by a person or covered fleet owner or operator, but whose motor vehicles are operated in the covered area from different locations. A distributed fleet is considered to be a covered fleet if it consists of ten or more covered fleet vehicles which are located in or primarily operated in the covered area.

"Dual fueled vehicle" means any motor vehicle engineered and designed, or converted in accordance with Sections 241.113(e) and 241.114 of this Part, such that it may be operated on two different fuels, but not on a mixture of the fuels.

"Emergency vehicle" means any motor vehicle that is legally authorized by a governmental authority to exceed the speed limit to transport people and equipment to and from situations in which speed is required to save lives or property, such as a rescue vehicle, fire truck, or ambulance.

"Fleet" means 10 or more motor vehicles that are under the control of a person.

"Flexible fueled vehicle" means any motor vehicle engineered and designed, or converted in accordance with Sections 241.113(e) and 241.114 of this Part, such that it may be operated on any mixture of two or more different fuels.

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"Gross Vehicle Weight Rating (GVWR)" means the total vehicle weight, including the maximum load, as designated by the original equipment manufacturer.

"Heavy-duty vehicle (HDV)" means a motor vehicle whose GVWR is more than 8,500 lbs but less than or equal to 26,000 lbs. Emission standards and credit values for HDVs are set forth in the tables found in Appendices A and B, respectively, of this Part.

"Inherently Low Emission Vehicle (ILEV)" means any LDV or LDT certified to the applicable ILEV evaporative emission standard found in 40 CFR Part 88, incorporated by reference at Section 241.104 of this Subpart, or any HDV with an engine certified to the applicable ILEV standard. No dual fueled or flexible fueled vehicle shall be considered an ILEV unless it is certified to the applicable standard(s) (i.e., LEV, ULEV or ZEV) for such weight class on all fuel types for which it is designed to operate.

"Law enforcement vehicle" means any motor vehicle which is primarily operated by a civilian or military police officer or sheriff, or by personnel of the Federal Bureau of Investigation, the Drug Enforcement Administration, or other agencies of the federal government, or by state highway patrols, municipal law enforcement agencies, or other similar law enforcement agencies, and which is used for the purpose of law enforcement activities including, but not limited to, chase, apprehension, surveillance, or patrol of people engaged in or potentially engaged in unlawful activities.

"Light-duty truck (LDT)" means a motor vehicle whose GVWR is no more than 8,500 lbs. Emission standards and credit values for LDTs are set forth in the tables found in Appendices A and B, respectively, of this Part.

"Light-duty vehicle (LDV)" means a motor vehicle whose GVWR is no more than 6,000 lbs. Emission standards and credit values are set forth in the tables found in Appendices A and B, respectively, of this Part.

"Loaded vehicle weight (LVW)" means the curb weight of the vehicle, as specified by the manufacturer, plus 300 lbs.

"Location" means any building, structure, facility, or installation which is owned or operated by a person, or is under the control of a person, or is located on one or more contiguous properties and contains or could contain a fueling pump(s) or system for the use of the vehicles owned or controlled by that person.

"Low Emission Vehicle (LEV)" means any LDV or LDT, or any HDV with an engine certified to the applicable federal low emission vehicle

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standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, incorporated by reference in Section 241.104 of this Subpart.

"Manufacturer" means any person engaged in the manufacturing or assembling of new motor vehicles, new motor vehicle engines, new nonroad vehicles or new nonroad engines; or importing such vehicles or engines for resale; or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles, new motor vehicle engines, new nonroad vehicles or new nonroad engines, but shall not include any dealer with respect to new motor vehicles, new motor vehicle engines, new nonroad vehicles, or new nonroad engines received by such dealer in commerce.

"Model year (MY)" means September 1 of any year through August 31 of the following year (e.g., September 1, 1997 through August 31, 1998 is MY 1998).

"Motor vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"Motor vehicle held for lease or rental to the general public" means a motor vehicle that is owned or controlled primarily for the purpose of short-term rental or extended-term leasing (with or without maintenance), without a driver, pursuant to a contract.

"New covered fleet vehicle" means a motor vehicle that has not been previously controlled by the current owner or operator, regardless of the model year, except as follows: motor vehicles that were manufactured before the start of the fleet program for such motor vehicle's weight class, motor vehicles transferred due to the purchase of a company not previously controlled by the owner or operator or due to a consolidation of business operations, motor vehicles transferred as part of an employee transfer, or motor vehicles transferred for seasonal requirements (i.e., less than 120 days) are not considered new. This definition of new covered fleet vehicle is distinct from the definition of new motor vehicle as it applies to manufacturer certification, including the certification of motor vehicles to the clean fuel standards.

"New motor vehicle" means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser.

"Owned or operated, leased or otherwise controlled by such person" means either of the following:

Such person holds the beneficial title to such motor vehicle; or

Such person uses the motor vehicle for transportation purposes

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vehicle manufacturer or motor vehicle component manufacturer, or owned or held by a university research department, independent testing laboratory, or other such evaluation facility, solely for the purpose of evaluating the performance of such motor vehicle for engineering, research and development, or quality control reasons.

"Zero Emission Vehicle (ZEV)" means any LDV or LDT, or any HDV certified to the applicable federal zero emission vehicle standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, Subpart A, incorporated by reference in Section 241.104 of this Subpart.

Section 241.103 Abbreviations

Agency	Illinois Environmental Protection Agency
ALVW	adjusted loaded vehicle weight
CAA	Clean Air Act as amended in 1990
CO	carbon monoxide
g/bhp-hr	grams per brakehorsepower-hour
g/mi	grams per mile
GVWR	gross vehicle weight rating
HCHO	formaldehyde
HDV	heavy-duty vehicle
ILEV	inherently low emission vehicle
kg	kilograms
lbs	pounds
LDT	Light-duty truck
LDV	light-duty vehicle
LEV	low emission vehicle
LWV	loaded vehicle weight
MY	model year
NMOG	non-methane organic gas

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pursuant to a contract or similar arrangement, and the term of such contract or similar arrangement is for a period of 120 days or more, and such person has control over the motor vehicle.

"Partially-covered fleet" means a fleet of 10 or more motor vehicles that is located or primarily operated in the covered area and which contains both covered fleet vehicles and exempted fleet vehicles.

"Person" means an individual, corporation, partnership, association, state, municipality, political subdivision of a state, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof.

"Primarily operated in the covered area" means at least 75 percent of the miles driven annually by a nonexempt motor vehicle are in the covered area. To determine whether a motor vehicle is primarily operated in the covered area, the owner or operator of a covered fleet shall, for each motor vehicle that it is claiming is not primarily operated in the covered area, perform the following calculation:

Sum the number of miles the motor vehicle is driven annually in the covered area;

Sum the number of miles the motor vehicle is driven annually outside of the covered area; and

If the annual number of miles driven in the covered area is at least 75% of all miles driven annually by the motor vehicle, then the motor vehicle is considered to be primarily operated in the covered area.

"Ultimate purchaser" means with respect to a new motor vehicle, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"Ultra Low Emission Vehicle (ULEV)" means any LDV or LDT, or any HDV with an engine certified to the applicable federal ultra low emission vehicle standard, as set forth in Appendix A of this Part and in 40 CFR Part 88, Subpart A, incorporated by reference in Section 241.104 of this Subpart.

"Under normal conditions garaged at a personal residence" means a motor vehicle that, when it is not in use, is normally parked at the personal residence of the individual who usually operates it, rather than at a central refueling, maintenance, and/or business location.

"Vehicle used for motor vehicle manufacturer product evaluations and tests" means a motor vehicle that is owned and operated by a motor

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covered fleet which is subject to the control requirements of this Subpart:

- 1) Motor vehicles held for lease or rental to the general public;
- 2) Motor vehicles held for sale by dealers (including demonstration vehicles);
- 3) Motor vehicles used for manufacturer product evaluations or tests;
- 4) Law enforcement vehicles and other emergency vehicles;
- 5) Motor vehicles not registered to operate on public roadways;
- 6) Motor vehicles in excess of 26,000 lbs GVWR;
- 7) Motor vehicles determined by the Secretary of Defense of the United States to be exempt from the program for national security reasons;

- 8) Antique vehicles as defined in Section 1-102.1 of the Illinois Vehicle Code (625 ILCS 5/1-102.1);
 - 9) Motorcycles, motor driven cycles, and motorized pedal cycles as defined in Sections 1-147, 1-148, and 1-148.2 of the Illinois Vehicle Code (625 ILCS 5/1-147, 1-148, and 1-148.2);
 - 10) Motor vehicles that are not capable of being centrally fueled; and
 - 11) Motor vehicles that are under normal conditions garaged at a personal residence, unless they are, in fact, centrally fueled.
- b) Notwithstanding subsection (a) of this Section, motor vehicles that are exempt from the requirements of Section 241.113 of this Subpart, but are part of a covered fleet, are subject to the reporting and recordkeeping requirements in Sections 241.140 and 241.141 of this Part.
- c) Owners or operators of a fleet claiming that a motor vehicle is exempt under subsection (a)(10) of this Section must demonstrate that the motor vehicle is not capable of being centrally fueled and must comply with the recordkeeping requirements of Section 241.141(b) of this Part.

Section 241.112 Registration of Fleet Owners or Operators

- a) An owner or operator of a covered fleet must apply for a fleet registration number on or before September 1, 1997, or within 60 days after becoming a covered fleet owner or operator, by providing the following information to the Agency:
- 1) The owner's or operator's, and if applicable, the company's, name and address;
 - 2) Signature of the owner or operator;
 - 3) The location of records and reports required by this Part, including the contact person's name, address, and telephone number;
 - 4) The number of motor vehicles in the fleet; and
 - 5) The VIN for each motor vehicle and, if applicable, whether the motor vehicle is exempt pursuant to Section 241.111 of this Part.

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NMHC non-methane hydrocarbon
NOx oxides of nitrogen
PM particulate matter
THC total hydrocarbon
ULEV ultra low emission vehicle
VIN vehicle identification number
ZEV zero emission vehicle

Section 241.104 Incorporations by Reference

The following materials are incorporated by reference and do not contain any subsequent additions or amendments:

- a) Clean Fuel Vehicles, 40 CFR Part 88, Subpart A and 59 Fed. Reg. 50058 (September 30, 1994); and
- b) Clean Fuel Fleet Program, 40 CFR Part 88, Subpart C (1993).

SUBPART B: GENERAL REQUIREMENTS

Section 241.110 Applicability

- a) The requirements of this Part shall apply to owners or operators of covered fleets. Covered fleets include distributed and partially covered fleets.
- b) Notwithstanding subsection (a) of this Section, an owner or operator of a covered fleet who owns, operates, or controls motor vehicles which are located or primarily operated in the covered area, but are regulated by the state of Indiana or Wisconsin as part of that state's Clean Fuel Fleet Program, as required by section 246 of the CAA, are only required to comply with the requirements of Section 241.115 of this Subpart.
- c) A fleet owner or operator who owns or leases fewer than ten covered fleet vehicles shall become a covered fleet owner or operator on the date that the owner or operator acquires legal or equitable title to a motor vehicle which causes such fleet owner's or operator's fleet to equal or exceed ten covered fleet vehicles.

Section 241.111 Exemptions

- a) The following motor vehicles are exempt from the requirements of Section 241.113 of this Subpart and are not considered to be covered fleet vehicles or included in the 10 motor vehicle count criterion of a covered fleet, whether or not such motor vehicles are part of a

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and which exemption applies.

- b) Fleet owners or operators shall include their fleet registration number on all reports or other correspondence submitted to the Agency for the Clean Fuel Fleet Program.
- c) Fleet owners or operators participating in the credit program, as set forth in Subpart C of this Part, must register with the Agency by providing the information required in subsection (a) of this Section.

Section 241.113 Control Requirements

- a) Any covered fleet owner or operator who acquires one or more new covered fleet vehicles in a model year must meet the emission standards in subsection (e) of this Section for the following percentages of new covered fleet vehicle acquisitions:
 - 1) The portion of the acquisition of light-duty new covered fleet vehicles that must be light-duty clean fuel vehicles in any model year (MY) are as follows:
 - A) In MY 1998, at least 30 percent;
 - B) In MY 1999, at least 50 percent; and
 - C) In MY 2000 and every MY thereafter, at least 70 percent.
 - 2) The portion of the acquisition of heavy-duty new covered fleet vehicles that must be heavy-duty clean fuel vehicles shall be 50 percent of the total number of heavy-duty new covered fleet vehicles acquired in each model year, commencing in MY 1998 and thereafter.

b) Any fraction of a new clean fuel vehicle acquisition requirement resulting from the percentage calculation in subsection (a)(1) or (a)(2) of this Section may be carried over and added to the new clean fuel vehicle acquisition requirement in the next model year for that type of clean fuel vehicle (i.e., LDV and LDT, or HDV) in which an acquisition of such a clean fuel vehicle is required pursuant to subsection (a) of this Section.

c) An owner's or operator's light-duty and heavy-duty clean fuel vehicle acquisition requirements in a given model year shall be the number of clean fuel vehicles calculated in subsections (a)(1) and (a)(2) of this Section plus any fraction of the same category and weight class (i.e., LDV/LDT or HDV) of motor vehicle acquisition requirements carried over from a preceding year.

d) Notwithstanding subsections (b) and (c) of this Section, in any model year no owner or operator shall:

- 1) Fall short of the acquisition requirements for new LDV/LDT or HDV clean fuel vehicles by an amount equal to or greater than one motor vehicle unit;
- 2) Meet the acquisition requirements for clean fuel LDVs or LDTs through acquisition of clean fuel HDVs; or
- 3) Meet the acquisition requirements for clean fuel HDVs through the acquisition of clean fuel LDVs or LDTs.

e) Motor vehicles acquired to meet the requirements of subsection (a) of this Section or Subpart C of this Part must be certified by U.S. EPA to meet the federal emission certification standards of either LEV, ULEV, ZEV, or ILEV for a clean alternative fuel(s), as set forth in Appendix A of this Part and in 40 CFR Part 88, incorporated by reference in Section 241.104 of this Part.

f) The owner or operator must meet the acquisition requirements of subsection (a) of this Section by acquiring clean fuel vehicles or redeeming credits equal to or greater than the number of vehicle units calculated in accordance with subsection (a) of this Section through one or more of the following:

- 1) Purchase or lease of clean fuel vehicles certified by U.S. EPA to meet any of the LEV, ULEV, ZEV, or ILEV standards referenced in subsection (e) of this Section;
- 2) Conversion of existing or new motor vehicles to meet a LEV, ULEV, ZEV or ILEV standard specified in subsection (e) of this Section, consistent with the requirements of Section 241.114 of this Subpart; or
- 3) Redeem credits generated or acquired consistent with the requirements of Subpart C of this Part.

Section 241.114 Conversions

a) If a motor vehicle which was not certified by the manufacturer as a clean fuel vehicle, but is subsequently converted in accordance with 40 CFR Part 88, Subpart C, incorporated by reference at Section 241.104 of this Part, and such converted motor vehicle meets the requirements of this Section and Section 241.113(e) of this Subpart, it is a clean fuel vehicle.

b) The owner or operator of the converted clean fuel vehicle must obtain sufficient documentation to verify that the motor vehicle meets the converted vehicle requirements in 40 CFR Part 88, Subpart C, incorporated by reference at Section 241.104 of this Part.

Section 241.115 Operating Requirements

a) When a clean fuel vehicle acquired to meet the acquisition requirements of Section 241.113 of this Subpart or to generate credits under Subpart C of this Part is driven in the covered area, it must operate at all times on the clean alternative fuel(s) to which it is certified by U.S. EPA, as set forth in Section 241.113(e) of this Subpart.

b) Notwithstanding subsection (a) of this Section, owners or operators of flexible-fueled and dual-fueled vehicles shall operate such motor vehicle on the clean alternative fuel(s) to which it is certified by U.S. EPA, as set forth in Section 241.113(e) of this Subpart, and, where applicable, to which the owner or operator earned credits pursuant to Subpart C of this Part, when the motor vehicle is driven in the covered area.

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this Section or Subpart C of this Part must be certified by U.S. EPA to meet the federal emission certification standards of either LEV, ULEV, ZEV, or ILEV for a clean alternative fuel(s), as set forth in Appendix A of this Part and in 40 CFR Part 88, incorporated by reference in Section 241.104 of this Part.

f) The owner or operator must meet the acquisition requirements of subsection (a) of this Section by acquiring clean fuel vehicles or redeeming credits equal to or greater than the number of vehicle units calculated in accordance with subsection (a) of this Section through one or more of the following:

- 1) Purchase or lease of clean fuel vehicles certified by U.S. EPA to meet any of the LEV, ULEV, ZEV, or ILEV standards referenced in subsection (e) of this Section;
- 2) Conversion of existing or new motor vehicles to meet a LEV, ULEV, ZEV or ILEV standard specified in subsection (e) of this Section, consistent with the requirements of Section 241.114 of this Subpart; or
- 3) Redeem credits generated or acquired consistent with the requirements of Subpart C of this Part.

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- c) Any clean fuel vehicle driven in the covered area but regulated by another state shall operate at all times on the clean alternative fuel(s) to which it was certified by U.S. EPA.

SUBPART C: CREDITS

Section 241.130 Clean Fuel Fleet Credit Program

- a) Any owner or operator of ten or more fleet vehicles located or primarily operated in the covered area may participate in the clean fuel fleet credit program, provided that the owner or operator requests that the Agency establish a clean fuel fleet credit account and complies with the registration, operating, emission standards, and recordkeeping and reporting requirements of Sections 241.112, 241.113(e), 241.115, and 241.142 of this Part, respectively, and the requirements of this Subpart and, if the vehicle for which credit is being claimed is converted, complies with the requirements of Section 241.114 of this Part.

- b) Any owner or operator of a fleet may earn credits by:

- 1) Acquiring more clean fuel vehicles or fractions of clean fuel vehicles than required in any MY pursuant to Section 241.113 of this Part;
 - 2) Acquiring clean fuel vehicles that meet the ULEV or ZEV standard;
 - 3) Acquiring clean fuel vehicles which belong to a category of motor vehicles that are otherwise exempt under Section 241.111 of this Part; and
 - 4) Acquiring clean fuel vehicles before September 1, 1997, if the requirements of Section 241.112 of this Part have been met.
- c) Credits will be generated, redeemed, or traded after the owner or operator submits the information listed in Section 241.140(a) and (b) of this Part to the Agency for each clean fuel vehicle involved in the credit transaction, requests that a credit transaction be posted and states the number of credits added to and subtracted from the credit accounts, and the Agency has received and reviewed the submittal. Credit transactions must be authorized by the owner or operator whose account is being reduced. The Agency will review, and add to and subtract from, credit accounts, according to the criteria of this Subpart and Appendix B of this Part.
- d) Credits shall be designated by the Agency at the time of issuance as either LDV/LDT credits or HDV credits. LDV/LDT credits may not be exchanged for HDV credits and HDV credits may not be exchanged for LDV/LDT credits.
- e) Notwithstanding subsection (b) of this Section, if a clean fuel vehicle has ever been used to demonstrate compliance under Subpart B of this Part, or used to generate credits under this Subpart, such clean fuel vehicle may never be used by any other person for the purpose of generating credits under this Subpart.

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Section 241.131 Credit Provisions

- a) The value of clean fuel vehicle credits shall be assigned in accordance with the values for the applicable class and weight category as set forth in Section 241. Appendix B: Tables A, B, C, D, E and F.
- b) The number of clean fuel vehicle credits that are needed to satisfy a new covered fleet vehicle acquisition obligation shall be determined in accordance with the values for the applicable class(s) and weight category(s), as set forth in Tables C and F, contained in Appendix B of this Part.

SUBPART D: RECORDKEEPING AND REPORTING

Section 241.140 Reporting Requirements

By November 1, 1998, and by November 1 every year thereafter, the owner or operator of a covered fleet must submit the following information about its activities during the prior model year to the Agency:

- a) For each motor vehicle newly acquired or being used to earn credits, which also includes motor vehicles converted to clean fuel vehicles:
- 1) The make, model, and year of manufacture;
 - 2) The date of vehicle acquisition;
 - 3) The vehicle identification number (VIN);
 - 4) The GVWR, as specified by the manufacturer;
 - 5) If the motor vehicle is being used to earn credits, the LVW for LDVs whose GVWR is less than or equal to 6,000 lbs and the ALVW for LDVs whose GVWR is greater than 6,000 lbs;
 - 6) The license plate number and state registered in; and
 - 7) A statement of whether the motor vehicle is exempt pursuant to Section 241.111 of this Part and which exemption applies.
- b) For each clean fuel vehicle newly acquired or being used to earn credits, which also includes motor vehicles converted to clean fuel vehicles:
- 1) The low emission standard(s) to which the motor vehicle is certified by U.S. EPA, consistent with Section 241.113(e) of this Part;
 - 2) The clean alternative fuel(s) to which the motor vehicle is certified to operate by the manufacturer in order to meet the federal low emission standard(s) in Section 241.113(e) of this Part;
 - 3) The 8-character alpha numeric bar-coded vehicle emission configuration number; and
 - 4) For motor vehicles converted to clean fuel vehicles pursuant to Section 241.114 of this Part:
 - A) The date the motor vehicle was converted;
 - B) The name and address of the person(s) or firm performing the conversion; and

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- C) A statement that, to the best of the owner's or operator's knowledge, the motor vehicle was converted in accordance with the applicable requirements of 40 CFR Part 88, incorporated by reference in Section 241.104 of this Part.
- c) In addition to the information required in subsections (a) and (b) of this Section, the owner or operator must state:
- 1) The number, to the nearest tenth, of clean fuel vehicles the owner or operator was required to acquire pursuant to Section 241.113 of this Part;
 - 2) How that obligation was met;
 - 3) If any of the clean fuel vehicles in the fleet used for compliance or credits in the last two model years are no longer part of the fleet, the VIN and the date the clean fuel vehicle was transferred or taken out of service; and
 - 4) If the fleet vehicles are centrally fueled at a location that is owned, operated or controlled by the covered fleet owner or operator, the amount of bulk fuel purchased by type of fuel.
- d) All reports to the Agency must include the owner's or operator's fleet registration number, the name of the operation, and the signature of the owner or operator.

Section 241.141 Recordkeeping Requirements

- a) Owners or operators of covered fleets shall retain a copy of the title or lease for each motor vehicle in the fleet.
- b) For each motor vehicle that the owner or operator is claiming is exempt pursuant to Section 241.111(a)(10) of this Part, the owner or operator must retain records showing the roundtrip calculation exempting the motor vehicle under the definition of capable of being centrally fueled, as set forth in Section 241.102 of this Part.
- c) For each motor vehicle in a covered fleet located outside of the covered area that the owner or operator is claiming is not primarily operated in the covered area, the owner or operator must retain records demonstrating that the motor vehicle is not primarily operated in the covered area, as set forth in the definition for primarily operated in the covered area in Section 241.102 of this Part.
- d) For each converted motor vehicle, the covered fleet owner or operator must retain documentation that the motor vehicle meets the applicable certification requirements for converted motor vehicles in 40 CFR Part 88, Subpart C, incorporated by reference at Section 241.104 of this Part.
- e) For fleets that are centrally fueled at a location that is owned, operated or controlled by the covered fleet owner or operator, the owner or operator must retain monthly records of the amount and type of bulk fuel purchased.
- f) Fleet owners and operators of non-covered fleets who elect to participate in the credit program, as set forth in Subpart C of this Part, must maintain the following records for each motor vehicle that

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they are using to generate credits:

- 1) A copy of the title or lease; and
 - 2) For each converted motor vehicle, documentation that the motor vehicle meets the applicable certification requirements for converted motor vehicles in 40 CFR Part 88, Subpart C, incorporated by reference at Section 241.104 of this Part.
- g) The records required in this Section shall be retained by the owner or operator for at least three years and shall be made available immediately to the Agency upon request. Notwithstanding the above requirement, titles or leases to vehicles no longer under the control of the owner or operator need not be retained.

Section 241.142 Report on Credit Activities

- a) From time to time, the Agency may send a credit reconciliation report to credit account holders showing the balance of credits and any transaction since the last report. The fleet owner or operator shall have 180 days to review and dispute the report. Failure by the fleet owner or operator to notify the Agency of a discrepancy entitles the Agency to presume that the credit reconciliation report is correct.
- b) Fleet owners or operators may request from the Agency in writing credit reconciliation reports for their credit accounts. Such request shall include the name and address of the owner or operator and the fleet registration number.

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Section 241.APPENDIX A Emission Standards for Clean Fuel Vehicles

TABLE A Low Emission Vehicle (LEV) Standards for Light-Duty Clean Fuel Vehicles (g/mi)

LIGHT-DUTY VEHICLE WEIGHT	POLLUTANT:			
	NMOG	CO	NOx	HCHO PM(1)
ALL LDV, LDT ≤6000 GVWR ≤3750 LVW				
50,000 MILES	0.075	3.4	0.2	0.015
100,000 MILES	0.090	4.2	0.3	0.018
				0.80
LDT ≤6000 GVWR ≤3750 LVW ≤5750 LVW				
50,000 MILES	0.100	4.4	0.4	0.018
100,000 MILES	0.130	5.5	0.5	0.023
				0.08
LDT >6000 GVWR ≤3750 ALVW				
50,000 MILES	0.125	3.4	0.4(2)	0.015
100,000 MILES	0.180	5.0	0.6	0.022
				0.10
LDT >6000 GVWR ≤3750 ALVW ≤5750 ALVW				
50,000 MILES	0.160	4.4	0.7(2)	0.018
120,000 MILES	0.230	6.4	1.0	0.027
				0.10
LDT >6000 GVWR ≤3750 ALVW ≤8500 ALVW(3)				
50,000 MILES	0.195	5.0	1.1(2)	0.022
100,000 MILES	0.280	7.3	1.5	0.032
				0.12

- (1) Applicable to diesel vehicles only
(2) Standards not applicable to diesel vehicles
(3) Option of certifying heavy-duty engines in vehicles up to 10,000 pounds GVWR using the light-duty truck (LDT) standards

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TABLE B Ultra-Low Emission Vehicle (ULEV) Standards for Light-Duty Clean Fuel Vehicles (g/mi)

LIGHT-DUTY VEHICLE WEIGHT	POLLUTANT:			
	NMOG	CO	NOx	HCHO PM(1)
ALL LDV, LDT ≤6000 GVWR ≤3750 LVW				
50,000 MILES	0.040	1.7	0.2	0.008
100,000 MILES	0.055	2.1	0.3	0.011
				0.04
LDT ≤6000 GVWR ≤3750 LVW ≤5750 LVW				
50,000 MILES	0.050	2.2	0.4	0.009
100,000 MILES	0.070	2.8	0.5	0.013
				0.04
LDT >6000 GVWR ≤3750 ALVW				
50,000 MILES	0.075	1.7	0.2	0.008
100,000 MILES	0.107	2.5	0.3(2)	0.012
				0.04
LDT >6000 GVWR ≤3750 ALVW ≤5750 ALVW				
50,000 MILES	0.100	2.2	0.4	0.009
120,000 MILES	0.143	3.2	0.5(2)	0.013
				0.05
LDT >6000 GVWR ≤3750 ALVW ≤8500 ALVW(3)				
50,000 MILES	0.117	2.5	0.6	0.011
100,000 MILES	0.167	3.7	0.8(2)	0.016
				0.06

- (1) Applicable to diesel vehicles only
(2) Standards not applicable to diesel vehicles
(3) Option of certifying heavy-duty engines in vehicles up to 10,000 pounds GVWR using the light-duty truck (LDT) standards

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TABLE C NMOG Standards for Flexible-Fueled and Dual-Fueled Vehicles (g/mi)

NMOG STANDARD(1)	
VEHICLE WEIGHT	50,000 MILE 100,000 MILE
ALL LDV, LDT,	
≤6000 GVWR	
≤3750 LVW	0.075/0.125 0.09/0.156
LDT	
≤6000 GVWR	
>3750 LVW	
≤5750 LVW	0.100/0.160 0.130/0.200
LDT	
>6000 GVWR	
≤3750 ALVW	0.125/0.250 0.180/0.360
LDT	
>6000 GVWR	
>3750 ALVW	
≤5750 ALVW	0.160/0.320 0.230/0.460
LDT	
>6000 GVWR	
>5750 ALVW	0.195/0.390 0.280/0.560

(1) The standards are presented for flexible-fueled and dual-fueled clean fuel vehicles when operating on clean alternative fuel and conventional fuel in the format "x/y" where x represents the NMOG standard when the vehicle is operated on a clean alternative fuel and y represents the NMOG standard when the vehicle is operated on a conventional fuel.

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TABLE D Emission Standards for Model Year 1998 and Later Heavy-Duty Vehicles (g/bhp-hr)

VEHICLE TYPE	THC	NOx	NMHC + NOx	CO	PM(1)	OMHCE	HCHO
GASOLINE							
≤14,000 GVWR	1.1	4.0	---	14.4	---	1.1	---
GASOLINE							
>14,000 GVWR	1.9	4.0	---	37.1	---	1.9	---
DIESEL	1.3	4.0	---	15.5	0.10	1.3	---
LEV CERTIFIED							
FUEL	(2)	(2)	3.8	(2)	(2)	(2)	---
LEV CERTIFIED							
CALIF. FUEL	(2)	(2)	3.5	(2)	(2)	(2)	---
ULEV	(2)	(2)	2.5	7.2	0.05	(2)	0.025
ILEV	(2)	(2)	2.5	14.4	0.10	(2)	0.025

(1) Standards for particulate matter (PM) apply only to diesel-fueled vehicles.

(2) HD CFVs must meet conventional vehicle standards for THC, NOx, CO, PM, and OMHCE

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Section 241.APPENDIX B Credit Values

Table A Credit Generation: Acquiring a Light-Duty Clean Fuel Vehicle before MY 1998 or Acquiring More Light-Duty Clean Fuel Vehicles than Required

TYPE	LDV, LDT <6000 GVWR ≤3750 LVW	LDT ≤6000 GVWR >3750 LVW ≤5750 LVW	LDT >6000 GVWR >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR >5750 ALVW
LEV	1.00	1.26	0.71	0.91
ULEV	1.20	1.54	1.00	1.29
ZEV	1.43	1.83	1.43	1.83

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TABLE B Credit Generation: Acquiring Light-Duty ULEV or ZEVE Clean Fuel Vehicles

TYPE	LDV, LDT <6000 GVWR ≤3750 LVW	LDT ≤ 6000 GVWR >3750 LVW ≤5750 LVW	LDT >6000 GVWR ≤3750 ALVW ≤5750 LVW	LDT >6000 GVWR >3750 ALVW ≤5750 ALVW	LDV >6000 GVWR >5750 ALVW
ULEV	0.20	0.29	0.29	0.34	0.45
ZEV	0.43	0.57	0.71	0.91	1.11

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TABLE C Credits Needed in Lieu of Acquiring a Light-Duty LEV

TYPE	LDV, LDT ≤6000 GVWR ≤3750 LVW	LDT ≤6000 GVWR >3750 LVW ≤5750 LVW	LDT >6000 GVWR ≤3750 ALVW ≤5750 ALVW	LDT >6000 GVWR >3750 ALVW >5750 ALVW
LEV	1.00	1.26	0.71	0.91
				1.11

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TABLE D Credit Generation: Acquiring a Heavy-Duty Clean Fuel Vehicle before
MY 1998 or Acquiring More Heavy-Duty Clean Fuel Vehicles than Required

VEHICLE TYPE	HDV
LEV	1.00
ULEV	1.87
ZEV	3.53

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TABLE E Credit Generation: Acquiring Heavy-Duty ULEV or ZEV Clean Fuel Vehicles

VEHICLE TYPE	HDV
ULEV	0.87
ZEV	2.53

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TABLE F Credits Needed in Lieu of Acquiring a Heavy-Duty LEV

VEHICLE TYPE	HDV
LEV	1.00

DEPARTMENT OF PUBLIC HEALTH

NOTICE ADOPTED AMENDMENTS

1) Heading of the Part: Emergency Medical Services Code2) Code Citation: 77 Ill. Adm. Code 5353) Section Numbers: Adopted Action:

535.10 Amendments
 535.20 Amendments
 535.150 Amendments
 535.210 Amendments
 535.216 Amendments
 535.217 Amendments
 535.230 Amendments
 535.270 Amendments
 535.300 Amendments
 535.310 Amendments
 535.315 Amendments
 535.320 Amendments
 535.330 Amendments
 535.335 Amendments
 535.340 Amendments
 535.400 Amendments
 535.420 Amendments
 535.430 Amendments
 535.440 Amendments
 535.500 Amendments
 535.520 Amendments
 535.530 Amendments
 535.540 Amendments
 535.650 Amendments
 535.810 Amendments
 535.1000 Amendments

4) Statutory Authority: Emergency Medical Services (EMS) Systems Act, 210 ILCS 505) Effective Date of Rules: September 15, 19956) Does this Rulemaking Contain an Automatic Repeal Date? NO7) Does this Rulemaking Contain Any Incorporations By Reference? Yes

This rulemaking contains incorporations by reference in Section 535.20.

8) Date Filed in Agency's Principal Office: September 15, 19959) Date Notice(s) of Proposal was Published in Illinois Register: February

DEPARTMENT OF PUBLIC HEALTH

NOTICE ADOPTED AMENDMENTS

17, 1995 - 19 Ill. Reg. 1745

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this these Rules? No11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In line 176, add a period, underlined, after "Program".

2. In line 178, add a period, underlined, after "Part" and strike out the concluding period.

3. In line 448, insert a period, underlined, after "ROADS".

4. In line 449, strike out the period after "Act)".

5. In line 468, add a period, underlined, after "SYSTEM".

6. After line 570, insert the heading "SUBPART C: LICENSING OF AMBULANCE SERVICE PROVIDERS".

7. In lines 927 and 930, strike out the comma and insert a semi-colon, underlined.

8. In line 932, strike out the semi-colon and insert a period, underlined.

9. In line 944, add a comma, underlined, after "Director".

10. In line 945, strike out the colon.

11. In line 976, strike out the colon and insert a period, underlined.

12. In line 977, insert a comma, underlined, after "services".

13. In line 978, strike out the colon.

14. In lines 997, strike out the semi-colon and insert a period, underlined.

15. In line 999 and 1034, insert a comma, underlined, after "System".

16. In lines 1032 and 1042, strike out the semi-colon and insert a period, underlined.

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17. In line 1060, close up the space between "150" and "(f)".
18. In line 1066, strike out "which" and insert "that".
19. In line 1099, strike out the semi-colon and insert a period, underlined.
20. In lines 1119 and 1148, strike out the colon.
21. In line 1144, strike out "which" and insert "that".
22. In lines 1147, 1176, and 1197, strike out the semi-colon and insert a period, underlined.
23. In lines 1169 and 1177, strike out "which" and insert "that".
24. In lines 1209, 1217, and 1243, strike out the semi-colon and insert a period, underlined.
25. In lines 1227, 1228, 1234, and 1238, strike out "which" and insert "that".
26. In lines 1281, 1288, 1289, and 1294, strike out "which" and insert "that".
27. In line 1291, insert a hyphen between "Department" and "approved".
28. In line 1299, do not strike out "EMT-A"; insert brackets, underlined, around "EMT-B".
29. In line 1389, strike out "which" and insert "that".
30. In line 1403, change "I" to "i".
31. In lines 1406 and 1414, strike out the comma and insert a semi-colon, underlined.
32. In line 1472, strike out "shall be made in writing by" and insert "SHALL BE MADE IN WRITING BY".
33. In line 1476, close up the space between "10.2" and "(c)".
34. In line 1486, close up space between "10.2 and "(d)".
35. In line 1505, insert "[" after "10.2".
36. In line 1519, close up the space between "10.2 and "(f)".

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37. In line 1558, close up space between "300" and "(e)".
 38. In line 1651, insert " , no more than 25 percent to be in any single area, i.e. extrication, cardiac, etc." after "period".
 39. In line 1841, insert a comma, underlined, after "certificate".
 40. In line 2021, change "Eighty" to "Sixty".
 41. In lines 2061-2068, change the strike outs to underline and change the type to italic.
 42. In line 2182, strike out "which" and insert "that".
 43. In lines 2174, 2178, 2183, and 2187, strike out the comma and insert a semi-colon, underlined.
 44. In line 2274, strike out "which" and insert "that".
- Various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? The Department has made all the changes to which it agreed with the Joint Committee.
 - 13) Will the Rules Replace an Emergency Rule Currently in Effect? No
 - 14) Are there any other Amendments Pending on this Part? No
 - 15) Summary and Purpose of Rules: The Emergency Medical Services Code is being amended in response to Public Act 88-59 (effective July 7, 1993), which amended the Emergency Medical Services (EMS) System Act to provide that Emergency Medical Technician licenses granted or renewed after December 31, 1993 shall be granted or renewed for a period of 4 years. Amendments also implement Public Act 88-564 (effective January 1, 1995), which amended the EMS Systems Act to include provisions for reinstatement of an EMT-Intermediate or EMT-Paramedic who may have had an EMT license lapse while he/she incurred a disability and was unable to work.
The definitions in Section 535.10 have been amended to include a definition of "Emergency Medical Technician-Basic."
- Section 535.20 has been amended to update the incorporation of the United States Department of Transportation Emergency Medical Technician National Standard Curriculum.

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Sections 535.150, 535.210, 535.216, 535.217, 535.270, 535.300, 535.310, 535.315, 535.320, 535.330, 535.335, 535.340, 535.400, 535.430, 535.500, 535.530, 535.580 and 535.1000 have also been amended to reflect the change in the name of the curriculum from EMT-Ambulance to EMT-Basic.

Section 535.216 is amended in response to Public Act 87-1233, which replaced the term "automatic defibrillation" with "automated defibrillation."

In Section 535.230, a provision has been added requiring the Project Medical Director, EMS System Coordinator and Project Director to notify the Department in writing of any association with an ambulance service provider through employment or contract, specifying how he or she is answerable to or directed by such ambulance service provider concerning any matter falling within the scope of the Act or this Part. The Department will be required to review and address potential or actual conflicts of interest on an individual basis.

Changes in Section 535.320 address the changes to "EMT-Basic" and "automated defibrillation".

Section 535.330 (EMT-A Relicensure) has been amended to reflect the statutory change to four-year licensure for EMT-As. The required 20-hour refresher training program must be completed during the last two years of the relicensure period. An additional 100 hours of continuing education, seminars, and workshops are required, with 60 hours completed during the first two years and 40 hours completed during the last two years of relicensure. Any System continuing education requirements for EMT-As approved to operate an automated defibrillator shall be included in the 100 continuing education hours.

Sections 535.420 (EMT-I Licensure) and 535.430 (EMT-I Relicensure) have been amended to reflect the statutory change to four year licensure for EMT-Is. The required 20-hour refresher training program must be completed during the last two years of the relicensure period. An additional 100 hours of continuing education, seminars, and workshops are required, with 60 hours completed during the first two years and 40 hours completed during the last two years of relicensure, and with no more than 25 percent of the hours to be in any single area. In addition, any System continuing education requirements for EMT-Is approved to operate an automated defibrillator shall be included in the required 100 continuing education hours. Section 535.430 is also amended to implement P.A. 88-564 in regard to inactive status as a result of temporary disability.

Changes in Sections 535.440 and 535.540 implement P.A. 88-564 in regard to inactive status as a result of temporary disability. Reference to four-year licensure is also added.

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Sections 535.520 (EMT-P Licensure) and 535.530 (EMT-P Relicensure) have been amended to reflect the statutory change to four year licensure for EMT-Ps. Sixty hours of continuing education, seminars, and workshops are required during each two-year portion of the relicensure period, with not more than 25 percent to be in any single area. Section 535.530 is also amended to implement P.A. 88-564 in regard to inactive status as a result of temporary disability.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito
Division of Governmental Affairs
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 535
EMERGENCY MEDICAL SERVICES CODE

SUBPART A: GENERAL

Section
535.10 Definitions
535.20 Incorporated Materials

SUBPART B: COMMUNICATIONS

Section
535.50 General Communications
535.60 EMS Systems Communications

SUBPART C: LICENSURE OF AMBULANCE SERVICE PROVIDERS

Section
535.100 Licensure of Ambulance Service Providers- General
535.110 Denial, Nonrenewal, Suspension and Revocation of Ambulance Service Provider License
535.120 Renewal of License
535.130 Renewal of License Denied
535.140 Revocation of License
535.150 Ambulance Licensing Requirements
535.160 Transfer of Care

SUBPART D: EMERGENCY MEDICAL SERVICES SYSTEM PROGRAM

Section
535.200 Emergency Medical Services System Program - General
535.210 EMS System Program Plan
535.215 Approval of Additional Drugs and Equipment
535.216 ~~Automated~~ Automated Defibrillation
535.217 Do Not Resuscitate (DNR) Policy
535.220 Additions to an Approved Program (Repealed)
535.230 EMS System Personnel Standards
535.240 Minimum Standards for Continuing Operation
535.250 Resolution of Conflicts (Repealed)
535.260 System Participation Suspensions
535.265 System Review Board
535.270 State EMS Disciplinary Review Board

SUBPART E: EMERGENCY MEDICAL TECHNICIAN - AMBULANCE BASIC

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(EMT-A EMT-B)

Section
535.300 Emergency Medical Technician - Ambulance Basic Training - General
535.310 EMT-A EMT-B Testing
535.315 Fee For Testing
535.320 EMT-A EMT-B Licensure
535.330 EMT-A EMT-B Relicensure
535.335 EMT-A EMT-B Continuing Education
535.340 Failure to Renew - Denial of Relicensure
535.350 Penalty (Repealed)

SUBPART F: EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE
(EMT-I)

Section
535.400 Emergency Medical Technician - Intermediate Training - General
535.410 EMT-I Testing
535.415 Fee For Testing
535.420 EMT-I Licensure
535.430 EMT-I Relicensure
535.432 EMT-I Continuing Education
535.435 Failure to Renew - Denial of Relicensure
535.440 EMT-I Inactive Status
535.450 Penalty (Repealed)

SUBPART G: EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC
(EMT-P)

Section
535.500 Emergency Medical Technician - Paramedic Training - General
535.510 EMT-P Testing
535.515 Fee For Testing
535.520 EMT-P Licensure
535.530 EMT-P Relicensure
535.532 EMT-P Continuing Education
535.535 Failure to Renew - Denial of Relicensure
535.540 EMT-P Inactive Status
535.550 Penalty (Repealed)

SUBPART H: RECIPROCITY

Section
535.600 Reciprocity

SUBPART I: SUSPENSION, REVOCATION AND DENIAL OF
LICENSURE OF EMTs

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Section
535.650 Suspension, Revocation and Denial of Licensure of EMTs

SUBPART J: DATA COLLECTION AND EVALUATION

Section
535.700 Data Collection and Evaluation

SUBPART K: WAIVER PROVISIONS

Section
535.750 Waiver Provisions

SUBPART L: REGISTERED PROFESSIONAL NURSE (FIELD RN/MICN)

Section
535.800 General Provisions
535.810 Field RN Training
535.820 Field RN Testing
535.830 Field RN Approval
535.840 Field RN Renewal
535.850 MICN Training
535.860 MICN Approval
535.870 Reciprocity

SUBPART M: CERTIFICATION OF SPECIALIZED EMERGENCY MEDICAL SERVICES VEHICLE (SEMSV) PROGRAMS

Section
535.900 Certification of (SEMSV) Programs - General
535.910 Denial, Nonrenewal, Suspension or Revocation of Certification
535.920 SEMSV Program Certification Requirements for All Vehicles
535.930 Helicopter and Fixed-Wing Aircraft Requirements
535.931 EMS Pilot Specifications
535.932 Aeromedical Crew Member Training Requirements
535.933 Aircraft Vehicle Specifications and Operations
535.934 Aircraft Medical Equipment and Drugs
535.935 Vehicle Maintenance
535.936 Aircraft Communications and Dispatch Center
535.940 Watercraft Requirements
535.941 Watercraft Vehicle Specifications and Operation
535.942 Watercraft Medical Equipment and Drugs
535.943 Watercraft Communications and Dispatch Center
535.950 Off-Road SEMSV Requirements
535.951 Off-Road Vehicle Specifications and Operation
535.952 Off-Road Medical Equipment and Drugs
535.953 Off-Road Communications and Dispatch Center

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SUBPART N: ADMINISTRATIVE WARNINGS AND FINES

Section
535.1000 Administrative Warnings and Fines

AUTHORITY: Implementing and authorized by the Emergency Medical Services- (EMS) Systems Act [210 ILCS 50].

SOURCE: Adopted at 5 Ill. Reg. 5670, effective May 19, 1981; amended and codified at 8 Ill. Reg. 11623, effective June 27, 1984; amended at 11 Ill. Reg. 1433, effective February 1, 1987; amended at 11 Ill. Reg. 17219, effective October 15, 1987; amended at 11 Ill. Reg. 20945, effective December 15, 1987; amended at 12 Ill. Reg. 22406, effective December 15, 1988; amended at 13 Ill. Reg. 15414, effective September 15, 1989; amended at 13 Ill. Reg. 15716, effective September 15, 1989; amended at 14 Ill. Reg. 15390, effective September 1, 1990; amended at 15 Ill. Reg. 5722, effective April 10, 1991; amended at 15 Ill. Reg. 18167, effective December 16, 1991; amended at 17 Ill. Reg. 8196, effective May 21, 1993; amended at 18 Ill. Reg. 14375, effective September 10, 1994; amended at 19 Ill. Reg. **13299**, effective **SEP 15 1995**.

SUBPART A: GENERAL

Section 535.10 Definitions

For the purposes of this Part:

"Act" means the Emergency Medical Services (EMS) Systems Act (411 Rev.-Stat.-19917-ch.-111-1727-para.-5501-et-seq.) [210 ILCS 50].

"Administrative Hearing" means a hearing conducted by the Department pursuant to a Department action to deny, suspend or revoke an EMT license or an ambulance license, and in conformance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

"Advanced Life Support-Mobile Intensive Care (ALS/MIC)+ABS+" means an advanced level of pre-hospital and inter-hospital emergency care that includes basic life support functions, (including cardiopulmonary resuscitation (CPR) plus cardiac monitoring, cardiac defibrillation, telemetered electrocardiography, administration of antiarrhythmic agents, intravenous therapy, administration of medications, drugs and solutions, use of adjunctive medical devices, trauma care, and other authorized techniques and procedures) initiated for the treatment of real or potential acute life threatening conditions under the direction of a physician licensed to practice medicine in all of its branches or a Registered Professional Nurse/MICN or Registered Professional Nurse-Field RN, and where authorized by the Project

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Medical Director in an Illinois Department of Public Health approved advanced life support system. (Section 4.01 of the Act)✓

"Advanced Life Support-Mobile Intensive Care Services (ALS/MIC)ALS" means a hospital providing with the approval of the Illinois Department of Public Health (See Subpart D of this Part), pre-hospital emergency medical care through the use of advanced life support-mobile intensive care personnel, equipment and vehicles under the direction of a Project Medical Director. (Section 4.02 of the Act)✓

"Advanced Life Support Personnel" means persons engaged in the provision of advanced life support, as defined and regulated by this Part-promulgated-pursuant-to-the-Act this Part. (Section 4.03 of the Act)✓

"Aeromedical crew member" or "Watercraft crew member" or "Off-road SEMSV crew member" means an individual, other than an EMS pilot, who has been approved by a SEMSV Medical Director for specific medical duties in a helicopter or fixed-wing aircraft, on a watercraft, or on an off-road SEMSV used in a Department-certified SEMSV Program. (See Sections 535.932(a) and (b), or 535.940(a)(8)(B) through (D), or 535.950(a)(7)(A) and (B) of this Part.)✓

"Alternate Project Medical Director" or "Alternate PMD" means the physician who is designated by the Resource Hospital to direct the ALS/ILS operations in the absence of the Project Medical Director.

"Ambulance" means any publicly or privately owned vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless. (See Subpart C of this Part.)✓ (Section 4.05 of the Act)✓

"Ambulance Service Provider" or "Ambulance provider" means any individual, group of individuals, corporation, partnership, association, trust, joint venture, individual doing business under an assumed name, unit of local government or other public or private ownership entity which owns and operates a business or service utilizing one or more ambulances or EMS vehicles for the transportation of emergency patients.

"Areawide Hospital Emergency Medical Services (AHES) Committees" means those bodies formed pursuant to Section 1.1 of the Hospital Emergency Service Act (111-Rev-Stat-1991-CH-111-147-Par-86-1) [210 ILCS 80/1.1], and in compliance with the Hospital Licensing Requirements (77 Ill. Adm. Code 250.730).

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"Associate Hospital" means a hospital participating in an approved EMS System in accordance with the EMS System Program Plan, fulfilling the same clinical and communications requirements as the Resource Hospital. This hospital has neither the primary responsibility for conducting the mobile intensive care personnel training program nor the responsibility for the overall operation of the EMS System program. The Associate Hospital must have a basic or comprehensive Emergency Department with a 24-hour physician coverage. It must have a functioning Intensive Care Unit and/or a Cardiac Care Unit. This hospital agrees to replace medical supplies and provide for equipment exchange for participating EMS vehicles.

"Associate Hospital EMS Coordinator" means the EMT-P or Registered Nurse at the Associate Hospital who shall be responsible for duties in relation to the ALS or ILS System, in accordance with the Department-approved EMS System Program Plan.

"Associate Hospital EMS Medical Director" means the physician at the Associate Hospital who shall be responsible for the day-to-day operations of the Associate Hospital in relation to the ALS or ILS System, in accordance with the Department-approved EMS System Program Plan.

"Basic Life Support (BLS) Services" means the rendering of basic level of pre-hospital and inter-hospital emergency care, including but not limited to airway management, cardiopulmonary resuscitation, control of shock and bleeding and splinting of fractures, as outlined in a basic emergency care course approved by the Department and meeting the current national curriculum of the United States Department of Transportation. (Section 4.06 of the Act)✓

"Central Communications System" means a radio and communications command and control center or centers responsible for accepting calls from the public for emergency medical services, for dispatching emergency medical services personnel and vehicles, for radio coordination of emergency medical services vehicles and personnel, for coordination of medical communications between emergency medical services personnel and public safety agencies, and where applicable, for coordination and management of radio frequencies devoted to biomedical telemetry. (Section 4.07 of the Act)✓

"Channel, Half-Duplex" means a radio channel that transmits and receives signals, but in only one direction at a time.

"Consumer" means a person in this State who is a recipient or potential recipient of the services provided by an emergency medical services system, who receives no direct or indirect personal, financial, or professional benefit as a result of an association with

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health care or emergency services other than that generally shared by the public at large, and who is not otherwise considered a provider under the provisions of ~~this~~ the Act. (Section 4.08 of the Act).⁷

"Department" means the Department of Public Health, State of Illinois. (Section 4.09 of the Act).⁷

"Director" means the Director of the Department of Public Health, State of Illinois. (Section 4.10 of the Act).⁷

"Dysrhythmia" means a variation from the normal electrical rate and sequences of cardiac activity, also including abnormalities of impulse formation and conduction.

"Effective Radiated Power (ERP)" means the power gain of a transmitting antenna multiplied by the net power accepted by the antenna from the connected transmitter.

"Electrocardiogram" means a single lead rhythm strip graphic recording of the electrical activity of the heart by a series of deflections which represent certain components of the cardiac cycle.

"Emergency" means a condition or situation in which an individual declares a need for immediate medical attention or when that need is declared by emergency medical personnel or a public safety official. (Section 4.11 of the Act).⁷

"Emergency Medical Services (EMS) System or System" means an organization of providers which through a program plan submitted to and approved by the Department (pursuant to Subpart D of this Part) entitles a hospital to utilize qualified personnel specified in the Act to provide or coordinate pre-hospital and inter-hospital emergency care at an advanced or intermediate level, to victims of illness or injury within the area specified in the program plan. Advanced or intermediate level services may include the utilization of BLS Level Services. One hospital in each program plan must be designated as the resource hospital. All hospitals and ambulance providers participating in an EMS System must specify their level of participation in the program plan. (Section 4.18 of the Act).⁷

"Emergency Medical Services System Survey" means a questionnaire which provides data to the Department for the purpose of compiling annual reports.

"Emergency Medical Services Vehicle (EMS vehicle)" means any vehicle used for BLS, ILS or ALS, as a special EMS unit or rescue vehicle, operating within an approved EMS System.

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"Emergency Medical Technician-Ambulance" or "EMT-A" means a person who has successfully completed a course of instruction in basic life support services as required and is currently licensed by the Department in accordance with standards prescribed by the Act ~~and this Part~~ and this Part, who provides emergency medical services. (Section 4.12 of the Act).⁷

"Emergency Medical Technician-Basic" or "EMT-B" means Emergency Medical Technician-Ambulance (EMT-A).⁷

"Emergency Medical Technician Intermediate" or "EMT-I" means an EMT-A currently licensed by the Department who has completed a Department approved course of instruction (pursuant to Subpart F of this Part) in specific advanced life support-mobile intensive care services and who is currently functioning in a program approved by the Department to provide such services under the supervision and control of a Project Medical Director. No sponsorship or employment shall be required for training or holding licensure as an EMT-I. (Section 4.15 of the Act).⁷

"Emergency Medical Technician-Paramedic" or "EMT-P" means a person who has successfully completed a Department approved course of instruction (pursuant to Subpart G of this Part) in advanced life support-mobile intensive care services and is currently licensed by the Department. No sponsorship or employment shall be required for training or holding license as an EMT-P. (Section 4.13 of the Act).⁷

"EMS System Coordinator(s)" means the designated individual(s) responsible to the Project Medical Director and Project Director for coordination of the educational and functional aspects of the System program.

"EMS System Program Plan" means the document prepared by the Resource Hospital and approved by the Department which describes the EMS System program and directs the program's operation (see Subpart D of this Part).

"FCC" means the Federal Communications Commission.

"Fixed-wing aircraft" means an engine-driven aircraft that is heavier than air, and is supported in-flight by the dynamic reaction of the air against its wings.

"Health Systems Agency" means a health systems agency as defined in 42 USC 300 L-1 (a). (Section 4.14 of the Act).⁷

"Helicopter" or "Rotorcraft" means an aircraft that is capable of vertical take-offs and landings, including maintaining a hover.

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"Hospital" has the meaning ascribed to it in the Hospital Licensing Act (1991-Rev-Stat--1991-CH--117-Par-142-et--seq-7 [210 ILCS 95]). (Section 4.04 of the Act).7

"Instrument Flight Rules" or "IFR" means the operation of an aircraft in weather minimums below the minimums for flight under visual flight rules (VFR). (See General Operating and Flight Rules, 14 CFR 91.115 through 91.129.)7

"Instrument Meteorological Conditions (IMC)" means meteorological conditions expressed in terms of visibility, distance from clouds and ceiling which requires Instrument Flight Rules.

"Intermediate Life Support Care" or "ILS" means an intermediate level of pre-hospital and inter-hospital emergency care that includes BLS Care, plus intravenous cannulation and fluid therapy, invasive airway management, trauma care, and other authorized techniques and procedures initiated for the treatment of real or potential acute life-threatening conditions, under the direction of a physician licensed to practice medicine in all of its branches or a Registered Professional Nurse/MICN or Registered Professional Nurse/Field RN and where authorized by the Project Medical Director in a Department approved EMS System. (Section 4.19 of the Act).7

"Intermediate Life Support Services" means a hospital providing, with the approval of the Department (See Subpart D of this Part), pre-hospital and inter-hospital emergency medical care through the use of Intermediate Life Support mobile intensive care personnel, equipment and vehicles, under the direction of a Project Medical Director. (Section 4.20 of the Act).7

"Mobile Radio" means a two-way radio installed in an EMS vehicle which may not be readily removed.

"Off-Road Specialized Emergency Medical Services Vehicle" or "Off-Road SEMSV" or "Off-Road SEMS Vehicle" means a motorized cart, golf cart, ATV (all-terrain-vehicle), or amphibious vehicle which is not intended for use on public roads.

"Participating Hospital" means a hospital participating in an approved EMS System in accordance with the EMS System Program Plan, which may or may not have monitoring capabilities and which receives patients transported by System EMS vehicles under the direction of the Project Director or PMD designee. This hospital agrees to replace medical supplies and provide for equipment exchange for participating EMS vehicles.

"Physician" means any person licensed to practice medicine in all of

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its branches under the Medical Practice Act of 1987 (1987-Rev-Stat--1991-CH--117-Par-140-et--seq-7 [225 ILCS 60]).

"Pilot" or "EMS Pilot" means a pilot certified by the Federal Aviation Administration who has been approved by a SEMSV Medical Director to fly a helicopter or fixed-wing aircraft used in a Department-certified SEMSV Program. (See Section 535.931 of this Part.)7

"Portable Radio" means a hand-held radio which accompanies the user during the conduct of emergency medical services.

"Pre-Hospital Care" means those emergency medical services rendered to emergency patients for analytic, resuscitative, stabilizing, or preventive purposes, precedent to and during transportation of such patients to hospitals. (Section 4.16 of the Act).7

"Pre-Hospital Care Provider or System Participant" means any EMT-A, EMT-B, I, P, Ambulance, Ambulance Provider, EMS Vehicle, Associate Hospital, Participating Hospital, EMS System Coordinator, Associate Hospital EMS Coordinator, Associate Hospital EMS Medical Director, Field RN, MICN or Physician serving on an ambulance or giving voice orders over an EMS System and is subject to suspension by the Project Medical Director of that System in accordance with the policies of the EMS System Program Plan approved by the Department.

"Project Director" means the administrator, appointed by the Resource Hospital with the approval of the Project Medical Director, responsible for the administration of the EMS System.

"Project Medical Director" or "PMD" means the physician appointed by the Resource Hospital who has the responsibility and authority for total management of the EMS System. (See Sections 535.210(h) and 535.230(a) of this Part.)7

"Registered Nurse" or "Registered Professional Nurse" or "RN" means a person who is licensed as a professional nurse under the Illinois Nursing Act of 1987 (1987-Rev-Stat--1991-CH--117-Par-3501-et--seq-7 [225 ILCS 65]).

"Registered Professional Nurse/Field RN" means a Registered Nurse, licensed under the Illinois Nursing Act of 1987, as amended (1987-Rev-Stat--1991-CH--117-Par-3501-et--seq-7), who has been approved by the Project Medical Director in a Department-approved EMS System, and who has satisfactorily completed additional supplementary training including but not limited to courses in extrication, telemetry and communications, advanced cardiac life support, including defibrillation and intubation or its equivalent, and either trauma nurse specialist or nurse trauma life support or their equivalents as

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approved by the Project Medical Director. (Section 4.21 of the Act)-

"Registered Professional Nurse/MICN" or "Mobile Intensive Care Nurse" means a Registered Nurse, licensed under ~~the~~ the Illinois Nursing Act of 1987, ~~as amended~~ ~~1991-Rev-Stat--1991-CH--117-PARS--3501-et seq., who has satisfactorily completed the Mobile Intensive Care Nurse course, including training in telemetry and communication, advanced Cardiac Life Support, and a Pre-Hospital Trauma Support Course or its equivalent, as approved by the Department.~~ (Section 4.21(a) of the Act)-

"Resource Hospital" means the hospital with the authority and the responsibility for an EMS System as outlined in the Department-approved EMS System Program Plan. (See Subpart D of this Part.)- The Resource Hospital, through the Project Medical Director, assumes responsibility for the entire program including the clinical aspects, operations and educational programs. This hospital agrees to replace medical supplies and provide for equipment exchange for participating EMS vehicles.

"SEMSV Medical Control Point" or "Medical Control Point" means the communication center from which the SEMSV Medical Director or his or her designee issues medical instructions or advice to the aeromedical, watercraft, or off-road SEMSV crew members.

"SEMSV Medical Director" or "Medical Director" means the physician appointed by the SEMSV program who has the responsibility and authority for total management of the SEMSV Program, subject to the requirements of the EMS System of which the SEMSV Program is a part. (See Section 535.920(e) of this Part.)-

"SEMSV Program" or "Specialized Emergency Medical Services Vehicle Program" means a program operating within an EMS System, pursuant to a program plan submitted to and certified by the Department, utilizing specialized emergency medical services vehicles to provide emergency transportation to sick or injured persons.

"Specialized Emergency Medical Services Vehicle" or "SEMSV" means a vehicle or conveyance, other than those owned or operated by the federal government, that is primarily intended for use in transporting the sick or injured by means of air, water, or ground transportation, that is not an ambulance as defined in the Act. The term includes watercraft, aircraft and special purpose ground transport vehicles not intended for use on public roads. (Section 4.30 of the Act)- "Primarily intended", for the purposes of this definition, means one or more of the following:

Over ~~44~~ 50 percent ~~of~~ of the vehicle's operational (e.g.

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in-flight) hours are devoted to the emergency transportation of the sick or injured;-

The vehicle is owned or leased by a hospital or ambulance provider and is utilized for the emergency transportation of the sick or injured;-

The vehicle is advertised as a vehicle for the emergency transportation of the sick or injured;-

The vehicle is owned, registered or licensed in another State and is utilized on a regular basis to pick up and transport the sick or injured within or from within this State; or

The vehicle's structure or permanent fixtures have been specifically designed to accommodate the emergency transportation of the sick or injured.

"State Emergency Medical Services Disciplinary Review Board" means a five-member board appointed by the Governor to review and affirm, reverse or modify orders to suspend an EMT or other individual provider from participation within an EMS System. (Section 10.2 of the Act) (See Sections 535.265 and 535.270 of this Part.)-

"System Participation Suspension" means the suspension from participation within an EMS System of an individual or individual provider, as specifically ordered by that System's Project Medical Director.

"System Review Board" or "Board" means a panel of individuals assembled within an EMS System for the purpose of reviewing a decision by the Project Medical Director to suspend from participation an EMT or other individual provider participating within that System. The Board shall consist of four ~~4~~ voting members and a chairperson who shall vote only in the event of a tie. The Project Medical Director shall appoint as two ~~2~~ standing members of the Board, the System Project Director or designee and an emergency room physician from within the System who is not the Project Medical Director. The remaining two ~~2~~ voting members and chairperson shall be selected by the provider from a list provided by the Project Medical Director. That list shall consist of the names of six ~~6~~ providers from within the System who are in the same provider category and level. If the provider is in a category or level which consists of fewer than six ~~6~~ other providers, he or she may choose the two ~~2~~ voting members and chairperson from any of the System's provider lists.

"Telecommunications Equipment" means a radio capable of transmitting and/or receiving voice and electrocardiogram (ECG) signals.

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"Telemetry" means the transmission of data by wire, radio, or other means from remote sources to a receiving station for recording and analysis.

"Unit Identifier" is a number assigned by the Department for each EMS vehicle in the State to be used in radio communications.

"Watercraft" means a nautical vessel, boat, aircraft, hovercraft or other vehicle that operates in, on or across water.

"911" means an emergency answer and response system in which the caller need only dial 9-1-1 on a telephone to obtain emergency services including police, fire, medical ambulance and rescue.

(Source: Amended at 19 Ill. Reg. **13299**, effective **SEP 13 1995**)

Section 535.20 Incorporated Materials

a) The following federal regulations and standards and statutes are incorporated or referenced in this part:

a) Federal guidelines, statutes and regulations:

1) 49 CFR 571.101-101, 102-102, 103-103, 104-104, 105-105, 106-106, 107-107, 108-108, 109-109, 110-110, 111-111, 112-112, 113-113, 114-114, 115-115, 116-116, 117-117, 118-118, 119-119, 120-120, 121-121, 122-122, 123-123, 124-124, 125-125, 126-126, 127-127, 128-128, 129-129, 130-130, 131-131, 132-132, 133-133, 134-134, 135-135, 136-136, 137-137, 138-138, 139-139, 140-140, 141-141, 142-142, 143-143, 144-144, 145-145, 146-146, 147-147, 148-148, 149-149, 150-150, 151-151, 152-152, 153-153, 154-154, 155-155, 156-156, 157-157, 158-158, 159-159, 160-160, 161-161, 162-162, 163-163, 164-164, 165-165, 166-166, 167-167, 168-168, 169-169, 170-170, 171-171, 172-172, 173-173, 174-174, 175-175, 176-176, 177-177, 178-178, 179-179, 180-180, 181-181, 182-182, 183-183, 184-184, 185-185, 186-186, 187-187, 188-188, 189-189, 190-190, 191-191, 192-192, 193-193, 194-194, 195-195, 196-196, 197-197, 198-198, 199-199, 200-200, 201-201, 202-202, 203-203, 204-204, 205-205, 206-206, 207-207, 208-208, 209-209, 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1262-1262, 1263-1263, 1264-1264, 1265-1265, 1266-1266, 1267-1267, 1268-1268, 1269-1269, 1270-1270, 1271-1271, 1272-1272, 1273-1273, 1274-1274, 1275-1275, 1276-1276, 1277-1277, 1278-1278, 1279-1279, 1280-1280, 1281-1281, 1282-1282, 1283-1283, 1284-1284, 1285-1285, 1286-1286, 1287-1287, 1288-1288, 1289-1289, 1290-1290, 1291-1291, 1292-1292, 1293-1293, 1294-1294, 1295-1295, 1296-1296, 1297-1297, 1298-1298, 1299-1299, 1300-1300, 1301-1301, 1302-1302, 1303-1303, 1304-1304, 1305-1305, 1306-1306, 1307-1307, 1308-1308, 1309-1309, 1310-1310, 1311-1311, 1312-1312, 1313-1313, 1314-1314, 1315-1315, 1316-1316, 1317-1317, 1318-1318, 1319-1319, 1320-1320, 1321-1321, 1322-1322, 1323-1323, 1324-1324, 1325-1325, 1326-132

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a) Vehicle Design

- 1) Each vehicle used as an ambulance after the effective date of this Part shall comply with the criteria established by the U.S. General Services Administration's Specification for Ambulance (KKK-A-1822C), with the exception of the following Sections: 1.2.1 Ambulance Type - "Star of Life"; 3.8.2 Ambulance Emergency Lighting; 3.16.2 Color, paint, and finish; 3.16.4 Emblems and Markings; and 3.22 as determined by the Department by an inspection.
- 2) Each vehicle that does not meet the U.S. General Services Administration's Ambulance Design Standards (KKK-A-1822C) as determined by the Department by an inspection, but is operational on the effective date of this Part shall be considered to be in compliance with this Part until there is a transfer of ownership.
- 3) Equipment Requirements - Basic Life Support Vehicles
Each ambulance used as a Basic Life Support vehicle shall meet the following equipment requirements, as determined by the Department by an inspection:
 - 1) Stretchers, Cots & Litters
 - A) Primary Patient Litter
 - i) Wheeled
 - ii) At least 75" to 80" long and 22" wide
 - iii) Allows for the head to be tilted upward to a 60 degree semi-sitting position
 - iv) Provided with a crash stable, quick release, 3 point fastener
 - v) Designed to insure the frame or handle will permit up to four persons to carry the litter
 - B) Secondary Patient Litter
 - Shall be folding and/or collapsible type

2) Oxygen

- A) Installed
 - i) Is supplied by at least 3000 liters of oxygen and tank is secured in at least 3 positions so as to provide maximum safety for patients and personnel (M cylinder)
 - ii) Is equipped with a reducing valve (from 2000 PSI cylinder to 50 PSI) with pressure gauge
 - iii) Is equipped with yoke
 - iv) Has a pressure gauge flow meter that will deliver up to 15 liters per minute
 - v) Has delivery tubes
 - vi) Has oxygen outlet accessible to the technician at the head of the primary litter
 - vii) Has one each adult, child and infant sized oxygen masks that are semi-open, valveless, transparent and disposable
 - viii) Has 3 each nasal cannulas

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B) Portable

- i) Is of at least 300 liter capacity (D or E cylinder)
 - ii) Is equipped with yoke
 - iii) Has pressure gauge flow meter (not gravity-dependent) that will deliver up to 15 liters per minute
 - iv) Has delivery tube
 - v) Has one each adult, child and infant sized oxygen masks that are semi-open, valveless, transparent and disposable
 - vi) Has an additional full 300 liter capacity cylinder carried on the vehicle (D or E cylinder)
- 3) Suction
 - A) Installed
 - i) Is powerful enough to provide an airflow of over 20 liter/minute at the end of the delivery tube and a vacuum of over 300 mm Hg (11.811 inches) when the tube is clamped
 - ii) Has vacuum adjustable for use with children and intubated patients
 - iii) Has suction yoke, unbreakable collection bottle, water for rinsing, and suction tube accessible to the technician at the head of the primary litter
 - iv) Has tube of sufficient length to reach the head of the primary and secondary litters
 - v) Is fitted with large-bore, non-kinking, translucent suction tubing
 - vi) Has 3 each sterile, single-use suction catheters with on/off control in small, medium and large sizes
 - vii) Has 3 each tonsil tip suction handles or catheters, single-use
 - viii) Can be disassembled for ease of cleaning and decontamination
 - B) Portable
 - i) Is powerful enough to provide an airflow of at least 12 liters per minute at the end of the suction tube, and a vacuum of at least 300 mm Hg (11.811 inches) to be reached within 12 seconds after tube is clamped
 - ii) Has 3 each tonsil tip suction handles or catheters, single-use
 - iii) Is fitted with large-bore, non-kinking, translucent suction tubing with sufficient length so that unit does not have to be placed on top of patient
 - iv) Has an unbreakable collection bottle capable of holding at least 500 ml
 - v) Has 3 each sterile, single-use suction catheters with on/off control in small, medium and large sizes
 - vi) Operates from an integral battery supply which is rechargeable or gas powered and will allow the unit to

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meet the air flow and suction requirements of this Section for at least 15 minutes. If the portable suction unit is powered by pressurized oxygen in a cylinder, it will be attached to its own oxygen cylinder and not to spare D or E cylinders intended for portable oxygen use

vii) A manually operated suction device is acceptable if approved by the Department.

4) Medical Equipment

- A) Squeeze bag-valve-mask ventilation unit with adult size transparent mask and child size bag-valve-mask ventilation unit with child and infant size transparent masks
 - B) Lower-extremity traction splint, adult size
 - C) Blood pressure cuff, 1 each, adult and pediatric, and gauge
 - D) 2 each stethoscopes
 - E) Pneumatic counterpressure trouser kit, adult size
 - F) Long spine board with 2 each torso straps, 9 feet in length, 1 each chin and head strap
 - G) Short spine board with 2 each torso straps, 9 feet in length, 1 each chin and head strap or vest type (wrap around) extrication device kit
 - H) Airway, oropharyngeal - adult, child and infant sizes
 - I) Bandage shears, 1 each
 - J) Padded board splints, 2 each 15"x3" (or equivalent)
 - K) Padded board splint, 1 each 4'6"x3" (or equivalent) and padded board splint, 3'x3"
 - L) Rigid cervical collars - 1 each, small, medium and large sizes. Shall be made of rigid material to minimize flexation, extension and lateral rotation of the head and cervical spine when spine injury is suspected
 - M) Sand bags - 4 each, about 4 inches in width, 2 inches in thickness and 12 inches in length or lateral C-Spine and head immobilization device(s)
 - N) Patient restraints, arm and leg, sets
 - O) Hypothermic thermometer or electronic thermometer capable of aiding in the diagnosis of hypothermia - 1 each
- 5) Medical Supplies
- A) Trauma dressing - 6 each
 - B) Sterile gauze pads - 20 each, 4 inches by 4 inches
 - C) Bandages, soft roller, self adhering-type, 10 each, 6 inches by 5 yards
 - D) Vaseline gauze - 2 each, 3 inches by 8 inches
 - E) Adhesive tape rolls - 2 each
 - F) Triangular bandages or slings - 5 each
 - G) Burn sheets - 2 each, sterile
 - H) Sterile solution (normal saline) - 4 each, 500 cc or 2 each, 1,000 cc plastic bags
 - I) Aluminum foil roll or Silver Swaddler - 1 each

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- J) Bite sticks - 2 each
- K) Obstetrical kit, sterile - 1 each, pre-packaged with instruments
- L) Syrup of Ipecac, 1 each
- M) Cold packs, 3 each
- N) Emesis basin - 1 each
- O) Drinking water - 1 quart, in non-breakable container, Sterile water may be substituted
- P) Disposable drinking cups - 5 each
- Q) Ambulance emergency run reports - 10 each, on a form prescribed by the Department or one that contains the data elements from the Department-prescribed form, as follows:
 - i) For Basic Life Support vehicles, including, but not limited to, time of call and response times, date, location, type of call, site of injury, mechanism of injury, injury prevention devices, patient assessment, patient care provided at the Basic Life Support Level, method of transportation, radio communication, hospital destination, driver and EMT/Field RN identification numbers.
 - ii) For Intermediate Life Support vehicles, including, but not limited to, time of call and response times, date, location, type of call, site of injury, mechanism of injury, injury prevention devices, patient assessment, patient care provided at the Intermediate Life Support Level, method of transportation, radio communication, hospital destination, driver and EMT-Intermediate/Field RN identification numbers.
 - iii) For Advanced Life Support vehicles, including, but not limited to, time of call and response times, date, location, type of call, site of injury, mechanism of injury, injury prevention devices, patient assessment, patient care provided at the Advanced Life Support level, method of transportation, radio/telemetry communication, hospital destination, driver and EMT-Paramedic/Field RN identification numbers.
 - iv) An ambulance Emergency Run Report will be completed and a copy filed with the Receiving Emergency Department prior to leaving the Receiving Hospital.
- R) Pillows - 2 each, for ambulance cot
- S) Pillowcases - 2 each, for ambulance cot
- T) Sheets - 2 each, for ambulance cot
- U) Blankets - 2 each, for ambulance cot
- V) CPR mask - 1 each, with safety valve to prevent backflow of expired air and secretions
- W) Hot packs - 3 each
- X) Urinal - 1 each
- Y) Bedpan - 1 each

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- 2) Remains bag - 1 each
 - AA) Non-porous disposable gloves
 - BB) Impermeable red or biohazard-labelled isolation bag
 - CC) Face protection through any combination of masks and/or eye protection and/or face shields
- c) Equipment Requirements - Intermediate and Advanced Life Support Vehicles

Each ambulance used as an Intermediate Life Support vehicle or as an Advanced Life Support vehicle shall meet the requirements in subsection (b) of this Section and shall also comply with the equipment and supply requirements as determined by the Project Medical Director in the System in which the ambulance and its crew participate.

 - d) Equipment Requirements - Rescue and/or Extrication

Each ambulance shall document the mechanism and agency that provides rescue services, and carry the following:

 - 1) Wrecking bar, 24"
 - 2) Goggles for eye safety
 - 3) Fire extinguisher - 2 each, ABC dry chemical, minimum 5 pound unit with quick release brackets. One mounted in driver compartment and one in patient compartment
 - 4) Flashlight - 1 each, battery powered 6 volt, stand-up lantern type
 - e) Equipment Requirements - Communications Capability

Each ambulance must have ambulance to hospital radio communications capability and meet the requirements provided in Section 535.50 of this Part.
 - f) Personnel Requirements
 - 1) Each ambulance shall be staffed by a minimum of two EMTs, Field RNs or physicians on all emergency calls.
 - 2) Each Basic Life Support vehicle using automated defibrillation shall be staffed by a minimum of one EMT-A or EMT-B approved by the Project Medical Director for automated defibrillation, a Field RN or physician and one other EMT, Field RN or physician.
 - 3) Each ambulance used as an Intermediate Life Support vehicle shall be staffed by a minimum of one EMT-I, Field RN or physician and one other EMT, Field RN or physician. Each ILS vehicle using automated defibrillation shall be staffed by a minimum of one EMT-I approved by the Project Medical Director for automated defibrillation, a Field RN or physician and one other EMT, Field RN or physician. Each ambulance used as an Advanced Life Support vehicle shall be staffed by a minimum of one EMT-P, Field RN or physician and one other EMT, Field RN or physician.
 - 4) Each ambulance provider that operates an emergency transport vehicle shall ensure through written agreement with the EMS System that the agency providing emergency care at the scene and en route to a hospital meets the requirements of this Subpart.
- 3) Operational Requirements

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- 1) Any operation of an ambulance while transporting a patient to a hospital shall be done in accordance with the requirements of the Act and this Part.
- 2) A licensee shall operate its ambulance in compliance with this Part, twenty-four hours a day, every day of the year. Except as required below, each individual vehicle within the ambulance service shall not be required to be operated twenty-four hours a day, as long as at least one vehicle for each level of service covered by the license is in operation at all times. An ALS vehicle can be used to provide coverage at either an ALS or BLS level, and such coverage will meet the requirements of this Section.
 - A) At the time of application for initial or renewal licensure, the applicant or licensee shall submit to the Department for approval a list containing the anticipated hours of operation for each vehicle covered by the license.
 - i) A current roster shall also be submitted which lists the EMTs, Field RNs and/or physicians who are employed or available to staff each vehicle during its hours of operation. The roster shall include each staff person's name, license number, and daytime telephone number, and shall state whether such person is generally scheduled to be on site or on call.
 - ii) An actual or proposed 4 week staffing schedule shall also be submitted, which covers all vehicles, includes staff names from the submitted roster and states whether each staff member is scheduled to be on site or on call during each work shift.
 - B) Licensees that are part of an EMS System shall be required to obtain the Project Medical Director's approval of their vehicles' hours of operation prior to submission to the Department. A Project Medical Director may require specific hours of operation for individual vehicles in order to assure appropriate coverage within the System.
 - C) A licensee that advertises its service as operating a specific number of vehicles or more than one vehicle shall state in such advertisement the hours of operation for those vehicles, if individual vehicles are not available twenty-four hours a day. Any advertised vehicle for which hours of operation are not stated shall be required to operate twenty-four hours a day.
- 3) For each patient transported to a hospital, the ambulance staff shall, at a minimum, measure and record on the emergency run report the patient's blood pressure, pulse, respiration, skin condition, level of consciousness, chief complaint and any treatment rendered.
 - 4) A licensee shall provide emergency service within the service area on a per need basis without regard to the patient's ability

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to pay for such service.

5) A licensee shall provide documentation of procedures to be followed when a call for service is received and a vehicle is not available, including copies of mutual aid agreements with other ambulance providers.

6) A licensee shall operate its ambulance at a level not exceeding the level for which it is licensed (basic life support, intermediate life support, advanced life support), unless such vehicle is operated pursuant to an EMS System-approved in-field service level upgrade. (See Section 535.210(i)(7) of this Part.)

7) *When a basic life support ambulance has been requested by telephone and the estimated response time is more than 5 minutes, the dispatcher shall advise the person making the request of the estimated time of arrival of the ambulance. (Section 7.1 of the Act)*

h) AGENCY NOTE: Any provider may request a waiver of any requirements in this Section under the provisions of Section 535.750. Examples of situations in which waivers of the requirement that ambulances carry pneumatic counter pressure trouser kits will be granted are as follows: When the Department is notified that a hospital or Project Medical Director will not order the use of a pneumatic counter pressure trouser kit or M.A.S.T. trousers by emergency medical personnel on a Basic Life Support Vehicle; and that a waiver is necessary to allow adequate time or progressive procurement of the pneumatic counter pressure trouser kits over a period of one to three years for those ambulance agencies that claim financial hardship.

(Source: Amended SEP 15 1995 19 Ill. Reg. 13299, effective _____)

SUBPART D: EMERGENCY MEDICAL SERVICES SYSTEM PROGRAM

Section 535.210 EMS System Program Plan

An Emergency Medical Services (EMS) System Program Plan shall contain the following information:

- The name and address of the Resource Hospital;
- The names and resumes of the following persons:
 - The Project Medical Director,
 - The Project Director,
 - The EMS System Coordinator;
- The names and addresses of each Associate or Participating Hospital;
- The names and addresses of each ambulance provider participating within the EMS System;
- A letter from the appropriate AHES committee which contains the following:
 - A statement that the Resource Hospital meets the requirements of 1) basic or comprehensive emergency facility (See "Basic" and

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"Comprehensive" emergency services as defined in Section 250.710 of the Hospital Licensing Requirements (77 Ill. Adm. Code 250.710)

2) A brief description of the AHES area including categorization scheme, a specialty availability and critical care referral patterns; and

3) A statement that the proposed EMS System Program Plan has been reviewed and approved;

f) A map of the EMS System's service area indicating the locations of all hospitals and ambulance providers participating in the System;

g) Letters of commitment from the following persons at the Resource Hospital, which describe the commitment of the writer and his or her office to the development and ongoing operation of the EMS System, and which state the writer's understanding of and commitment to any necessary changes such as emergency department staffing and educational requirements:

- The Chief Executive Officer of the hospital,
 - The Chief of the Medical Staff, and
 - The Director of the Nursing Services;
- h) A letter of commitment from the Project Medical Director describing which-describes the PMD's agreement to:

- Be responsible for the ongoing education of all System personnel including coordinating didactic and clinical experience;
- Develop written standing orders (treatment protocols, standard operating procedures) to be used in the PMD's absence and certify that all involved personnel will be knowledgeable in emergency care and capable of providing treatment and using communications equipment once the program is operational;
- Provide the name and resume of the Alternate Project Medical Director;
- Be responsible for supervising all personnel participating within the System, as described in the System Program Plan;
- Develop or approve one or more ambulance emergency run reports (run sheets) covering all types of ambulance runs performed by System ambulance providers;
- Ensure that the Department has access to all records, equipment and vehicles under the authority of the PMD, during any Department inspection, investigation or site survey;
- Notify the Department of any changes in personnel providing pre-hospital care in accordance with the EMS System Program Plan approved by the Department;
- Be responsible for the total management of the System, including the enforcement of compliance with the System Program Plan by all participants within the System;
- Ensure that a copy of the application for renewal (a form supplied by the Department) is provided to every EMT-I or EMT-P within the System who has not been recommended for recertification by the Project Medical Director; and
- Be responsible for compliance with the provisions of Sections

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- 535.260 and 535.265 of this Part;
- i) A description of the method(s) of providing EMS services, which includes the protocols for:
 - 1) single vehicle response and transport;
 - 2) dual vehicle response;
 - 3) level of first response vehicle;
 - 4) level of transport vehicle;
 - 5) use of mutual aid agreements;
 - 6) informing the caller requesting an emergency vehicle of the estimated time of arrival when the vehicle response is estimated to be longer than six minutes; and
 - 7) In-Field Service Level Upgrades: An EMS System may establish protocols and procedures which allow ILS or ALS personnel to board a BLS vehicle in the field in order to render a higher level of prehospital emergency care. Such protocols shall, at a minimum, require the temporary transfer of the ILS or ALS equipment to the BLS vehicle. The higher-level personnel shall assume in-field responsibility for the patient during the remainder of the prehospital transport, and the vehicle will be recognized by the Department as approved for the higher level of service during the remainder of that patient transport;
 - j) A letter of commitment from each Associate or Participating Hospital within the System that ~~which~~ includes the following:
 - 1) Signed statements by the hospital's Chief Executive Officer, Chief of the Medical Staff and Director of the Nursing Service describing their commitments to the standards and procedures of the System;
 - 2) A description of how the hospital will relate to the EMS System Resource Hospital, its involvement in the ongoing planning and development of the program, and its utilization of the education and continuing education aspects of the program;
 - 3) A commitment to meet the System's educational standards for MICNs and Field RNs;
 - 4) An agreement to provide exchange of all drugs and equipment with all pre-hospital providers participating in the System;
 - 5) An agreement to utilize the standard treatment orders as established by the Resource Hospital;
 - 6) An agreement to follow the operational policies and protocols of the System;
 - 7) An agreement to participate in the training and continuing education of pre-hospital personnel;
 - 8) An agreement to collect and provide relevant data as determined by the Resource Hospital;
 - 9) A description of the hospital's data collection and reporting methods and the personnel responsible for maintaining all data;
 - 10) The names and resumes of the Associate Hospital EMS Medical Director and Associate Hospital EMS Coordinator;
 - 11) An agreement to allow the Department access to all records,

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- equipment and vehicles relating to the System during any Department inspection, investigation or site survey; and
- 12) If the hospital is a participant in another System, a description of how it will interact within both Systems and how it will ensure that communications interference as a result of this dual participation will be minimized;
 - k) A letter of commitment from each ambulance provider participating within the System that ~~which~~ includes the following:
 - 1) For each EMS vehicle participating within the System:
 - A) The year, model, make, and vehicle identification number;
 - B) The license plate number;
 - C) The Department license number, unless exempt from Department licensure (See Section 9 of the Act);
 - D) The base location address; and
 - E) The level of service (advanced, intermediate or basic);
 - 2) A description of its role in providing advanced life support, intermediate life support, basic life support and patient transport services with the System;
 - 3) Definitions of the primary, secondary and outlying areas of response for each EMS vehicle used within the System;
 - 4) A map or maps indicating the base locations of each EMS vehicle, the primary, secondary and outlying areas of response for each EMS vehicle, the population base of each service area and the square mileage of each service area;
 - 5) A commitment to optimum response times of 4-6 minutes in primary coverage areas, 10-15 minutes in secondary coverage areas, and 15-20 minutes in outlying coverage areas;
 - 6) A commitment to ~~twenty-four~~ 24-hour coverage;
 - 7) A commitment that within one (1) year after Department approval of the EMS System, each ambulance at the scene of an emergency and during transport of emergency patients to and between hospitals will be staffed in accordance with the requirements of Section 535.150(f)(1) and (2);
 - 8) Copies of written mutual aid agreements with other providers and/or a description of the provider's own back-up system, which detail how adequate coverage will be ensured when an EMS vehicle is responding to a call and a simultaneous call is received for service within that vehicle's coverage area;
 - 9) A statement that emergency services that ~~which~~ an EMS vehicle is authorized to provide shall not be denied on the basis of the patient's inability to pay for such services;
 - 10) An agreement to file an appropriate EMS run sheet or form for each emergency call, as required by the System;
 - 11) An agreement to maintain the equipment required by Section 535.150 and by the System, in working order at all times, and to carry the medication as required by the System;
 - 12) An agreement to notify the Project Medical Director of any changes in personnel providing pre-hospital care in the System in

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accordance with the policies in the System Manual;

- 13) A copy of its current FCC license(s);
- 14) A description of the mechanism and specific procedures used to access and dispatch the EMS vehicles within their respective service areas;
- 15) A list of all personnel providing pre-hospital care, their license numbers, expiration dates and levels of licensure (~~EMT-A~~ ~~EMT-B~~, EMT-I, EMT-P), their Field RN or MD status;
- 16) An agreement to allow the Department access to all records, equipment and vehicles relating to the System during any Department inspection, investigation or site survey;
- 17) An agreement to allow the Project Medical Director or designee to determine compliance with the System Program Plan;
- 18) Documentation that its communications capabilities meet the requirements of Section 535.50 of this Part;
- 19) Documentation that each EMS vehicle participating in the System complies with the vehicle design, equipment and extrication criteria as provided in Section 535.150(a)(1) and (b) of this Part; and
- 20) An agreement to follow the approved EMS policies and protocols of the System;
- 1) Descriptions and documentation of each communications requirement provided in Section 535.60 of this Part;
- m) A System Manual, the format of which shall be System specific as to organization, which shall contain but not be limited to subsections (1) through (11) of this subsection (m); and which except for training program examinations and quizzes, student and instructor evaluations, and any examinations used to test or monitor System participants' proficiency, shall be available to all System participants. The entire Manual shall be available to any agency authorized to evaluate, survey or accredit the program.
- 1) The Project Medical Director's written standing orders (treatment protocols, Standard Operating Procedures) to be used in the PMD's absence, including the circumstances under which the MICN will call the PMD or a designated physician to the operational control point, and what the nurse's limitations are;
- 2) A list of all equipment and drugs required for EMS vehicles;
- 3) The System's program and requirements for the training and continuing education of EMTs, Field RNs and MICNs including but not limited to:
 - A) Curriculum (EMT training programs shall be taught in accordance with the United States Department of Transportation (DOT) Emergency Medical Technician National Standard Curriculum~~7-1984~~);
 - 3) Teaching schedules;
 - 2) Training program examinations, including the formats to be

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- used (i.e., essay, multiple-choice, classroom or take-home quizzes, practical examinations);
- D) Clinical experiences;
 - E) Training program entrance and successful completion requirements;
 - F) Training program student and instructor evaluations;
 - G) Clinical and didactic relicensure requirements, including a requirement that each EMT's continuing education records shall be kept on file at the Resource Hospital, and that copies shall be provided to the EMTs; **and**
 - H) System examinations, if any, used to test and monitor an EMT's continued proficiency to render the level of care for which the EMT is licensed;
 - I) A System may require that up to one-half of the yearly didactic continuing education hours that are required toward relicensure, as determined by the Department, be earned through attendance at System-taught courses;
 - J) Any didactic continuing education course that ~~which~~ has received a State site code shall be accepted by the System, subject only to the requirements of subsection (m)(3)(I) of this Section:
 - 4) Communications standards and protocols including:
 - A) The information contained in the System Program Plan relating to the requirements of Sections 535.60(a)(1), (2), (3) and (4), 535.60(b) and 535.60(g) of this Part;
 - B) Protocols ensuring that physician direction and voice orders to EMS vehicle personnel and other hospitals participating in the System are provided from the operational control point of the Resource or Associate Hospital; and
 - C) Protocols ensuring that voice orders via radio and using telemetry shall be given by or under the direction of the Project Medical Director or the PMD's designee, who shall be either an MICN, a Field RN or a physician;
 - 5) Quality assurance measures for patient care, ambulance operation and System training activities, including but not limited to monitoring training activities to ensure that the instruction and materials are consistent with United States Department of Transportation training standards for EMTs and Section 4 and 13 of the Act, unannounced inspections of pre-hospital services, and internal provider self-assessments;
 - 6) Data collection and evaluation methods **that** ~~which~~ include:
 - A) The mechanism for collecting data from hospitals and pre-hospital providers;
 - B) A copy of the pre-hospital reporting form;
 - C) The method employed to evaluate data and to notify and correct patient care or reporting discrepancies; and
 - D) A sample of the information and data to be reported to the Department summarizing System activity.

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- 7) Operational policies that which delineate the respective roles and responsibilities of all providers in the System regarding the provision of emergency services, including:
- A) Abuse of controlled substances by System personnel;
 - B) Resource Hospital overrides (situations in which Associate Hospital orders are overruled by the Resource Hospital);
 - C) Infectious disease and disinfection procedures;
 - D) Reporting and documentation of problems; and
 - E) Protocols for ILS/ALS System personnel to assess the condition of a patient being initially treated in the field by BLS personnel, for the purpose of determining whether a higher level of care is warranted and transfer of care of the patient to the ILS or ALS personnel is therefore appropriate. Such protocols shall include a requirement that neither the assessment nor the transfer of care can be initiated if it would appear to jeopardize the patient's condition, and shall require that such activities of the System personnel be done under the immediate direction of the Project Medical Director or designee;
- 8) Medical-legal policies addressing:
- A) A patient's right of refusal;
 - B) Minor patient/guardian consent;
 - C) Patient abandonment;
 - D) Coroner policy;
 - E) Emotionally disturbed patients;
 - F) Do not resuscitate situations;
 - G) Patient confidentiality/release of information;
 - H) Interaction with law enforcement/evidence;
 - I) Reporting of suspected crimes (i.e., child abuse);
 - J) Physician on the scene; and
 - K) Durable power of attorney for health care;
- 9) Any procedures regarding disciplinary/suspension decisions and the review of those decisions which the System has elected to follow in addition to those required by the Act;
- 10) The responsibilities of the EMS Coordinator(s), as designated by the Project Medical Director, including data evaluation, supervision of clinical, didactic and field experience training, and physician and nurse education as required; and
- 11) The responsibilities of the Project Director;
- n) If the Resource Hospital for a proposed EMS System is currently participating in an existing System, the following additional information must be provided:
- 1) A clear description of its current role and status within the existing System;
 - 2) Its rationale for separating from the existing System and developing its own program;
 - 3) A description of the methods to be used for ensuring the coordination of emergency services with adjacent Systems,

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- including the System that which it proposes to leave;
- 4) A statement detailing the effect that which the proposed change will have on the area's pre-hospital services and patient referral patterns;
 - 5) A statement summarizing the steps to be taken to ensure that the necessary quality and level of care will be maintained during the implementation phase of the proposed System;
 - 6) A statement detailing the effect that which the proposed System will have on the current radio communications systems utilized in the area;
 - 7) A detailed description of its communications system design, including the expected delivery dates for equipment that which has been purchased, leased or ordered; and
 - 8) If the proposed System intends to use, borrow or lease any communications equipment or facilities from an existing System, a copy of a specific contract or agreement authorizing such arrangement shall be attached;
- o) Written protocols for the transport of persons by ambulance or specialized emergency medical services vehicle to a hospital other than the nearest hospital or trauma center. (Section 10(c) of the Act)
- 1) The protocols shall provide that a person shall not be transported to a hospital other than the nearest hospital, regional trauma center, or the nearest trauma center, unless the project medical director or his qualified designee has determined and certified that, based upon the reasonable risks and benefits to the patient, and based on the information available at the time:
 - A) The medical benefits reasonably expected from the provision of appropriate medical treatment at a more distant hospital or trauma center outweigh the increased risks to the patient from transport to the more distant hospital or trauma center, and
 - B) The more distant hospital or trauma center has available space and qualified personnel for the treatment of the patient. (Section 10(c) of the Act) An associate hospital, participating hospital, or trauma center affiliated with the EMS System may be presumed to have available space and qualified personnel in accordance with its level of participation within the System, unless such facility has notified the Project Medical Director that it has a shortage or limitation of space or qualified personnel.
 - 2) The system's protocols may include an accommodation for the patient's choice of hospital other than the nearest hospital or trauma center if the transport to the more distant hospital or trauma center is not expected to increase the risk to the patient as determined and certified by the Project Medical Director or qualified designee. (Section 10(c) of the Act)
 - 3) In order to verify a determination made pursuant to this

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subsection, this determination shall be recorded and signed by the Project Medical Director or qualified designee who made such determination at the base station or medical control point that which had been contacted by the EMS vehicle personnel. If the person who made the determination is not physically present at such location, the medical control personnel present shall note that on the record, and the person who made the determination shall sign the record as soon thereafter as possible.

- 4) For purposes of this subsection, the "nearest hospital" is the hospital that which is closest to the scene of the emergency as determined by travel time, and that which operates a full-time emergency department at the minimum level recognized by the System in its Department-approved Program Plan. The "nearest trauma center" is either the Level I Trauma Center serving the trauma region in which the EMS System is located, or the Level II Trauma Center that which is closest to the scene of the emergency as determined by travel time.

(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299, effective)

Section 535.216 Automatic Automated Defibrillation

- a) Any person licensed as an EMT-A [EMT-B], EMT-I or EMT-P and affiliated with an EMS system may use an automatic automated defibrillator if he or she has completed a course of instruction approved by the Department in automatic automated defibrillator operation. (Section 11.1 of the Act.)
- b) Automatic Automated Defibrillator Operation training is a mandatory component of the EMT-P training established by Section 535.500 of this Part. Separate course approval is therefore not necessary.
- c) In order to be approved by the Department, an EMT-A EMT-B or EMT-I Automatic Automated Defibrillator Operation course shall include the following:
- 1) A curriculum based on Section 9 of the United States Department of Transportation, Emergency Medical Technician-Intermediate; National Standard Curriculum;
 - 2) A requirement that EMT-A an EMT-B or EMT-I shall pass both a written and a practical examination as a condition of completing the course. The examinations shall be developed and evaluated by the Project Medical Director or designee and shall be designed to measure the EMT's knowledge and skills to safely and effectively operate an automatic automated defibrillator.
- d) A System may include the course in Automatic Automated Defibrillator Operation as part of an initial EMT-A EMT-B or EMT-I license training program or may offer such training to persons already licensed as an EMT-A EMT-B or EMT-I.

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(Source: Amended SEP 13 1995 at 19 Ill. Reg. 13299, effective)

Section 535.217 Do Not Resuscitate (DNR) Policy

- a) A System shall develop a DNR policy for use by System personnel. The policy shall be implemented only after it has been reviewed and approved by the Department, in accordance with the requirements of this Section. For purposes of this Section, DNR refers to the withholding of cardiopulmonary resuscitation (CPR), electrical defibrillation, tracheal intubation and manually or mechanically assisted ventilations, unless otherwise stated on the DNR Order.
- b) The policy shall include, but not be limited to, specific procedures and protocols for cardiac arrest/DNR situations arising in long-term care facilities, with hospice and home-care patients, and with patients who arrest during interhospital transfers or transportation to or from home.
- c) The policy shall include specific procedures and protocols for withholding CPR in situations where explicit signs of biological death are present (e.g., decapitation, rigor mortis without profound hypothermia, profound dependent lividity, etc.), or the patient has been declared dead by a coroner or the patient's physician. The policy shall include recording such information on the run sheet and requesting the physician or coroner to sign the run sheet (if applicable).
- d) For situations not covered by subsection (c) of this Section, the policy shall require that resuscitative procedures must be followed unless a valid DNR Order is present.
- e) A valid DNR Order shall consist of a written document, which has not been revoked, containing at least the following information:
- 1) Name of the patient,
 - 2) Name and signature of attending physician,
 - 3) Effective date,
 - 4) The words "Do Not Resuscitate",
 - 5) Evidence of consent - either:
 - A) signature of patient or
 - B) signature of legal guardian or
 - C) signature of durable power of attorney for health care agent or
 - D) signature of surrogate decision-maker or
 - E) attached living will or other advanced directive prepared by or on behalf of the patient.
- f) Revocation of a written DNR Order shall be made only in one or more of the following ways:
- 1) The Order is physically destroyed or verbally rescinded by the physician who signed the order; or
 - 2) The Order is physically destroyed or verbally rescinded by the person who gave written informed consent to the Order.

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- g) A System's DNR policy shall require System personnel to make a reasonable attempt to verify the identity of the patient (for example, identification by another person or an identifying bracelet) named in a valid DNR Order.
- h) The policy shall describe the roles of the on-line medical control physician and mobile intensive care nurse (MICN) in DNR situations.
- i) The policy shall state which System ambulance personnel are authorized to respond to a valid DNR Order (EMT-P, EMT-I, ~~EMT-A~~ EMT-B, Field R.N.).
- j) The policy shall cross-reference the System's coroner notification policy.
- k) The policy shall describe the System's program for educating System personnel concerning the policy.
- l) The policy shall identify the quality assurance measures specific to this policy, including the methods and periods of review, and the submission of a yearly report to the Department indicating issues or problems that ~~which~~ have been identified and the System's responses to those issues or problems.

(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299, effective)

Section 535.230 EMS System Personnel Standards

- a) The Project Medical Director shall be a physician licensed to practice medicine in all of its branches in Illinois and shall have completed a residency program in emergency medicine approved by the Residency Review Committee of the American Medical Association or have extensive critical or emergency care experience including documented competency in Advanced Life Support. In addition, the Project Medical Director shall:
- 1) Have experience on an EMS vehicle or make provision to gain such experience within ~~twelve~~ 12 months of the date responsibility for the System is assumed;
 - 2) Be thoroughly knowledgeable of and able to demonstrate all skills excluding extrication as presented in the Emergency Medical Technician Field RN and MICN training programs; and
 - 3) Have or make provisions to gain experience instructing students at a level similar to that of EMTs, Field RNs and MICNs.
- b) The EMS System Coordinator shall:
- 1) Be a Registered Professional Nurse licensed in the State of Illinois or an EMT-P licensed in the State of Illinois;
 - 2) Be trained and knowledgeable in dysrhythmia identification and treatment and have a diverse background in critical care; and
 - 3) Have or make provision to obtain experience on an EMS vehicle within ~~twelve~~ 12 months of the date the responsibilities of the EMS System Coordinator were assumed.
- c) In order to avoid any conflict of interest, the Project Medical

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Director, EMS System Coordinator and Project Director shall notify the Department in writing of any association with an ambulance service provider through employment or contract, specifying how he or she is answerable to or directed by such ambulance service provider concerning any matter falling within the scope of the Act or this Part. The Department shall review and address potential or actual conflicts of interest on an individual basis.

(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299, effective)

Section 535.270 State EMS Disciplinary Review Board

- a) The State Emergency Medical Services Disciplinary Review Board shall be composed of five ~~to~~ members and five ~~to~~ alternate members appointed by the Governor. The 5 members of the Board shall be: a Project Medical Director from a Department - approved EMS System, a Hospital Administrator from a Department - approved EMS System, an EMS Coordinator from a Department - approved EMS System, a licensed Emergency Medical Technician - Paramedic (EMT-P) and a licensed Emergency Medical Technician - Ambulance (EMT-A) ~~(EMT-B)~~. (Section 10.1 of the Act).
- b) There shall be one alternate for each member of the Board, from the same professional category as the member of the Board. (Section 10.1 of the Act).
- c) Of the members first appointed to the State EMS Disciplinary Review Board by the Governor, one member shall be appointed for a term of one year. 2 members shall be appointed for a term of 2 years and 2 members shall be appointed for a term of 3 years. The terms of subsequent appointees shall be 3 years. All appointees shall serve until their successors are appointed. The alternate members shall be appointed and serve in the same fashion as the members of the Board. If a member resigns his or her appointment, the corresponding alternate shall serve the remainder of that member's term until a subsequent member is appointed by the Governor. (Section 10.1 of the Act).
- d) The function of the State EMS Disciplinary Review Board is to review and affirm, reverse or modify orders to suspend an EMT or other individual provider from participating within an EMS System. (Section 10.2(a) of the Act).
- e) An EMT or other provider who has been suspended by a Project Medical Director for reasons directly related to patient care may request the Board to reverse or modify the suspension order. Such a request shall be made in writing by certified mail to the chief of the Department's Division of Emergency Medical Services and Highway Safety, Springfield, Illinois, within 10 days after receiving the Project Medical Director's suspension order. A copy of the PMD's written suspension order shall be enclosed. (Section 10.2(b) of the Act).

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- 5) A suspended EMT or other provider whose suspension was affirmed or modified by a local system review board may request the board to reverse or modify the local board's decision, and a Project Medical Director whose suspension order was reversed or modified by a local system board may request the board to reverse or modify the local board's decision. Such requests shall be made in writing by ~~email~~ made-in-writing-by certified mail to the Chief of the Department's Division of Emergency Medical Services and Highway Safety, Springfield, Illinois, within 10 days after receiving the local Board's decision. A copy of the local Board's decision shall be enclosed. (Section 10.2(c) of the Act);
- g) Upon receipt of a valid request for review, the Department shall notify the members of the Board as well as the alternates for Board members who are unavailable. A Quorum shall consist of 3 members or alternates and shall include the Project Medical Director Board member or alternate. The Board shall meet within 14 days after the Department receives the request for review, or as soon thereafter as the Project Medical Director Board member or alternate is available. The Board shall meet in Chicago or Springfield, whichever location is closer to the involved EMS System. (Section 10.2(d) of the Act);
- h) At each meeting of the Board, the members or alternates present at the meeting shall select a chairperson to conduct the meeting. The Board shall review the transcripts, evidence and written decision of the Local Review Board, or the written decision and supporting documentation of the PMD, whichever is applicable. The suspended participant and the Project Medical Director shall each have the opportunity to present a written statement specifying why the Local Review Board's decision or the PMD's suspension order should be affirmed, reversed, or modified. The Board shall allow such testimony and new evidence as it deems necessary to determine whether the Local Board's decision or the PMD's suspension order was supported by the weight of the evidence. The Project Medical Director shall provide the Board with the transcript, evidence and written decision of the Local Review Board, or the supporting documentation on which his or her suspension order was based, whichever is applicable. The Project Medical Director shall arrange for a certified shorthand reporter to make a stenographic record of the Board's meeting and thereafter prepare a transcript of the proceedings. (Section 10.2(e) of the Act);
- i) At the conclusion of any testimony or presentation of new evidence, the Board shall meet in a closed session to reach a decision. The Board may continue its meeting to another date for further deliberation; however, the Board shall render a decision not more than 28 days after the first meeting date. On a form provided by the Department, the chairperson of the meeting shall state the Board's decision to affirm, reverse or modify the decision of the Local Review Board or the PMD's suspension order, whichever is applicable, and state the basis for the Board's decision. The chairperson shall

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within five working days submit the Board's written decision, together with the transcripts, evidence and other materials from the meeting, to the Department. The Department shall within five working days issue a copy of the Board's decision to all affected parties. (Section 10.2(f) of the Act);

- j) The system shall implement a decision of the State EMS Disciplinary Review Board ~~disciplinary--review--board--~~ which has been rendered in accordance with the Act and this Part this Part. (Section 13(g) of the Act)

(Source: SEP 13 1995 19 Ill. Reg. 13299, effective _____)

SUBPART E: EMERGENCY MEDICAL TECHNICIAN - AMBULANCE-(EMT-A)-
BASIC (EMT-B)

Section 535.300 Emergency Medical Technician - Ambulance Basic
Training - General

- a) Applications for approval of EMT-A EMT-B Training Programs shall be filed with the Department on forms prescribed, prepared and furnished by the Department. The application shall contain such information as, but not limited to, name of applicant, agency and address, type of training program, lead instructor's name and address, dates of the training program, name and signature of medical director.
- b) Applications for approval shall be submitted at least ~~sixty~~-t 60+ days in advance of the first scheduled class.
- c) The EMT-A EMT-B training program shall designate a physician as Medical Director who is knowledgeable in emergency care. The Medical Director shall attest that the training program shall be conducted according to the United States Department of Transportation's National Standard Curriculum, and that all instructors are knowledgeable in the material and capable of instructing at the EMT-A EMT-B level.
- d) The EMT-A EMT-B training program shall designate a Lead Instructor who shall be responsible for the overall management of the training program.
- e) The Lead Instructor shall be an EMT-A EMT-B, EMT-I, EMT-P, an Illinois Registered Nurse, or a physician licensed to practice medicine in all of its branches in Illinois.
- f) The Lead Instructor shall have three ~~two~~ +3+ years of experience in emergency care as a provider and two ~~two~~ +2+ years of teaching experience in a classroom setting.
- g) The Lead Instructor shall be recommended by the Medical Director and approved by the Department based on the requirements of Section 535.300(e) and (f).
- n) Any changes in the EMT-A EMT-B training program's Medical Director or Lead Instructor shall require the the application process outlined in Section 535.300(a).

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- a) Each ~~EMT-A~~ EMT-B candidate making application for the Department's written examination for licensure is required to submit a fee of ~~ten dollars~~ \$10.00. This fee is to be paid by certified check or money order. Cash will not be accepted.
- b) Failure to appear for the examination on the scheduled date, at the time and place specified, shall result in the forfeiture of the examination fee.
- c) If an ~~EMT-A~~ EMT-B candidate does not achieve a passing grade on the written examination, the fee for the retest is the same as for initial examination.
- d) All fees submitted for licensure examinations are not refundable.

- i) Questions for all quizzes and tests to be given during the ~~EMT-A~~ EMT-B training program will be prepared by the Department and provided to the Lead Instructor upon request, or the Lead Instructor may choose to prepare his/her own quizzes and tests.
- j) Each approved training program shall submit a student roster within ~~ten~~ 10 days after the first class as well as a student roster indicating successful or unsuccessful completion within ~~ten~~ 10 days after the last class.
- k) All approved programs shall maintain class and student records for seven ~~77~~ years and these shall be made available to the Department upon request.

(Source: ~~amended~~ at 19 Ill. Reg. 13299, effective SEP 13 1995)

(Source: ~~amended~~ at 19 Ill. Reg. 13299, effective SEP 13 1995)

Section 535.320 ~~EMT-A~~ EMT-B Licensure

Section 535.310 ~~EMT-A~~ EMT-B Testing

- a) In order to be licensed by the Department as an ~~EMT-A~~ EMT-B an individual must pass the National Registry of Emergency Medical Technicians Examination or the Department's ~~EMT-A~~ EMT-B examination.
- b) The Department will license those individuals who meet the requirements of this Section for a period of ~~two~~ 12 four years.
- c) A licensed ~~EMT-A~~ EMT-B shall perform only those life support services covered by the ~~EMT-A~~ EMT-B training and testing required by this Part. Only ~~EMT-A~~ EMT-Bs who have been approved by their EMS System Project Medical Director to operate an ~~automatic~~ automated defibrillator, pursuant to Section 535.216 of this Part, shall be allowed to do so.

- a) After completion of an approved training program, ~~EMT-A~~ EMT-B candidates shall take a written examination. The candidate shall have the choice of taking either the National Registry of Emergency Medical Technicians examination or the Department's examination. The Department's examination is based on the United States Department of Transportation National Standard Curriculum and is equivalent to the National Registry Examination.
- b) The Department or designee shall administer the National Registry examination or the State written examination for ~~EMT-A~~ EMT-B licensure at least once each quarter and at a location in each administrative region in the State.
- c) All ~~EMT-A~~ EMT-B candidates shall hold a high school diploma or high school equivalency certificate and be ~~eighteen~~ 18 years of age or older in order to be tested for licensure.
- d) A failure rate per class of 25% percent or greater on the licensure examination shall require that the particular ~~EMT-A~~ EMT-B training program be reevaluated by the Department at least ~~sixty~~ 60 days before the start of the next class.
- e) Failure to achieve a passing grade on three successive examinations within 12 months of the completion of the Training Program shall require the candidate to retake the ~~EMT-A~~ EMT-B training program.
- f) When a candidate elects to take the State examination or the National Registry's examination, the candidate must successfully complete that particular testing procedure. A candidate will not be allowed to take the alternate examination after failure to achieve a passing grade.

(Source: ~~amended~~ at 19 Ill. Reg. 13299, effective SEP 13 1995)

(Source: ~~amended~~ at 19 Ill. Reg. 13299, effective SEP 13 1995)

Section 535.330 ~~EMT-A~~ EMT-B Relicensure

- a) In order to be relicensed as an ~~EMT-A~~ EMT-B:
 - 1) The ~~EMT-A~~ EMT-B licensee must file with the Department an application for renewal on a form provided by the Department at least ~~thirty~~ 30 days prior to the ~~two~~ 12 four year license expiration date. The application shall be filed with the Department's Regional EMS Coordinator for the Region in which the ~~EMT-A~~ EMT-B resides.
 - 2) Written documentation must be provided to the Regional EMS Coordinator by the Project Medical Director or the ~~EMT-A~~ EMT-B regarding completion of the following requirements:
 - A) ~~Successful completion of~~ 20-hour refresher training program, to be successfully completed during the last two years of the relicensure period.
 - B) One hundred additional hours of continuing education, seminars and workshops with 60 hours completed during the

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first two years and 40 hours completed during the last two years of the relicensure period, no more than 25 percent to be in any single area, i.e., extrication, cardiac, etc.

C) Any System continuing education requirements for EMT-Bs approved to operate an automated defibrillator shall be included in the 100 required continuing education hours.

B+D) A current CPR certificate, which covers:

- i) Adult one-rescuer CPR
- ii) Adult foreign body airway obstruction management
- iii) Pediatric one-rescuer CPR
- iv) Pediatric foreign body airway obstruction management
- v) Adult two-rescuer CPR
- vi) Pediatric two-rescuer CPR.

E) ~~Forty-four hours--of--continuing--education--seminars--and workshops--plus--any--system--continuing--education--requirements for--EMT--As--approved--to--operate--an--automated--defibrillator--no--more--than--twenty--five--percent--(25%)--of--those--hours--may--be--in--the--same--subject--~~

- b) Composition of refresher training programs and qualifications of instructors shall be approved by the Department not less than ~~sixty--f~~ 60+ days prior to the scheduled event. Program approval will be granted provided the program is conducted in accordance with guidelines of the Federal Department of Transportation's ~~current~~ national curriculum and based upon the program content relevancy for ~~EMT--As~~ EMT-Bs. Qualifications of instructors shall be consistent with Section 535.300(e) and (f).

- c) The license of an ~~EMT--A~~ EMT-B who has failed to file an application for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the license.

(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.335 ~~EMT--A~~ EMT-B Continuing Education

- a) Continuing education classes, seminars, workshops or other types of programs shall be approved by the Department before being offered to ~~EMT--As~~ EMT-Bs. An application for approval shall be submitted to the Department on a form prescribed, prepared and furnished by the Department, at least ~~sixty--f~~ 60+ days prior to the scheduled event.

- b) Approval will be granted provided the application is complete and the content of the program is based on topics or materials from the United States Department of Transportation National Standard Curriculum for ~~EMT--As~~ EMT-Bs. Upon approval, the Department will issue a site code to the class, seminar, workshop or program.

- c) An ~~EMT--A~~ EMT-B shall be responsible for submitting written proof of continuing education attendance to the EMS System Coordinator or the

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Department Regional EMS Coordinator.

- d) The EMS System Coordinator or Department Regional EMS Coordinator shall be solely responsible for verifying whether specific continuing education hours have been earned by the ~~EMT--A~~ EMT-B.

- e) An ~~EMT--A~~ EMT-B shall be responsible for maintaining copies of all documentation concerning continuing education programs that he or she has completed.

(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.340 Failure to Renew - Denial of Relicensure

Every ~~EMT--A~~ EMT-B licensee who either fails to apply for renewal prior to the expiration of the license, whose application for renewal is denied by the Department, or whose license has been revoked by the Department shall be required to retake the training program and tests and pay the fees as required for initial licensure, in order to be relicensed.

(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

SUBPART F: EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE (EMT-I)

Section 535.400 Emergency Medical Technician - Intermediate Training - General

- a) An EMT-I training program shall only be conducted by an EMS System.

- b) Applications for approval of EMT-I Training Programs shall be filed with the Department on forms prescribed, prepared and furnished by the Department. The application shall contain such information as, but not limited to, name of applicant, agency and address, type of training program, lead instructor's name and address, dates of training program, name and signature of the Project Medical Director and EMS System Coordinator.

- c) Applications for approval shall be submitted at least ~~sixty--f~~ 60+ days in advance of the first scheduled class.

- d) The Project Medical Director of the EMS System shall attest on the Department's application form that the training program shall be conducted according to the United States Department of Transportation's National Standard Curriculum. Minimum sections shall include #1 through #8.

- e) The EMT-I training program shall be under the direction of the Project Medical Director and the EMS System Coordinator.

- f) The EMS system shall designate a Lead Instructor, who shall be approved by the Department based on the requirements of Section 535.400(g).

- g) The Lead Instructor shall be an EMT-I, EMT-P, a Registered Nurse or a

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physician and shall have three (3) years of experience in emergency care as a provider and two (2) years of teaching experience in a classroom setting.

h) Any changes in the EMT-I training program's Project Medical Director, EMS System Coordinator and/or Lead Instructor shall require the application process as outlined in subsection (b) of this Section.

i) A candidate for an EMT-I training program must have a current Illinois EMT-A EMT-B license.

j) Before a candidate is accepted into the program, documentation must be submitted that an EMS System vehicle will be available to accommodate field experience and internship needs.

k) Each approved training program shall submit a student roster within ten (10) days after the first class.

l) After an EMT-I candidate has completed and passed all components of the training program, the PMD shall submit to the Department a transaction card (form Form No. ~~18BH-PP-0371-05~~ IL 482-0837) concerning that individual.

m) All approved programs shall maintain class and student records for seven (7) years and these shall be made available to the Department upon request.

(Source: Amended 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.420 EMT-I Licensure

a) In order to be licensed by the Department as an EMT-I, an individual must:

1) Pass either the National Registry of Emergency Medical Technicians examination or the Department's EMT-I examination.

2) Complete a field internship on a State-approved EMS System vehicle, supervised by an EMT-I or EMT-P with one year of experience, a Registered Professional Nurse designated by the Project Medical Director, or a physician with critical care knowledge and experience on an EMS vehicle.

A) The length and structure of the field internship shall be determined by the PMD for the system in which the internship is performed, based upon the types and frequencies of emergency calls encountered by EMT-Is within that system, but shall include a minimum of five (5) Intermediate Life Support runs.

B) The field internship shall be completed within six (6) months after passing the EMT-I examination. If an extension of time is needed due to hardship, a waiver shall be sought pursuant to Section 535.750 of this Part, prior to the end of the six-month period.

C) An EMT-I candidate who completes the internship after the six-month period, pursuant to waiver, shall be given a

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practical examination by the PMD. Such examination shall cover patient assessment and appliance application at the EMT-I level.

D) The PMD shall notify the Department, in writing, when an EMT-I candidate has completed the field internship and passed a practical examination, if applicable.

3) Be functioning within a State-approved EMS System providing intermediate life support services, as verified by that System's Project Medical Director.

b) The Department will license those individuals who meet the requirements of this Section for a period of ~~two (2)~~ four years.

c) A licensed EMT-I shall perform only those life support services covered by the EMT-I training and testing required by this Part. Only EMT-Is who have been approved by their EMS System Project Medical Director to operate an ~~automatic~~ automated defibrillator, pursuant to Section 535.216 of this Part, will be allowed to do so.

(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.430 EMT-I Relicensure

a) In order to be relicensed as an EMT-I:

1) The EMT-I licensee must file with the Department an application for renewal on a form prepared by the Department at least ~~thirty~~ (30) days prior to the ~~two (2)~~ four year license expiration date.

A) The submission of a transaction card (Form No. ~~18BH-PP-0371-05~~ IL 482-0837) by the Project Medical Director will satisfy the renewal application requirement for a licensee who has been recommended for relicensure by the Project Medical Director.

B) A licensee who has not been recommended for relicensure by the Project Medical Director must independently submit to the Department an application for renewal. The Project Medical Director shall provide the licensee with a copy of the appropriate form to be completed.

2) A written recommendation signed by the Project Medical Director must be provided to the Department regarding completion of the following requirements:

A) ~~Successfully-completing--a~~ A twenty 20-hour (30) refresher training program, to be successfully completed during the last two years of the relicensure period.

B) One hundred additional hours of continuing education, seminars and workshops, with 60 hours completed during the first two years and 40 hours completed during the last two years of the relicensure period, no more than 25 percent to be in any single area, i.e., extrication, cardiac, etc.

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- C) Any System continuing education requirements for EMT-Is approved to operate an automated defibrillator shall be included in the required 100 continuing education hours.
- e) ~~Part eight (40) hours of continuing education--seminars--and workshops--twelve (12) hours of which were directed at the intermediate skillset--plus any--System--continuing--education requirements--for--EMS--is--approved--to--operate--an--automated defibrillator.~~

B4D) A current CPR certificate that which covers:

- i) Adult one-rescuer CPR
- ii) Adult foreign body airway obstruction management
- iii) Pediatric one-rescuer CPR
- iv) Pediatric foreign body airway obstruction management
- v) Adult two-rescuer CPR
- vi) Pediatric two-rescuer CPR.

B4E) Functioning within a State-approved EMS System providing intermediate life support services as verified by that System's Project Medical Director.

- b) Composition of refresher training programs and qualifications of instructors and continuing education programs shall be submitted to the Department for approval not less than ~~sixty~~ 60 days prior to the scheduled event. Program approval will be granted provided the program is conducted in accordance with guidelines of the Federal Department of Transportation's ~~current~~ national curriculum and contains material relevant to EMT-Is. Qualifications of instructors shall be consistent with Section 535.400(f).

- c) Upon denial of recommendation for relicensure, the Project Medical Director shall submit all reasons for denial. This denial shall be in writing and sent to the EMT-I and the Department.

- d) The licensure of an EMT-I who has failed to file an application for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the license.

- e) At any time prior to the expiration of the current license, the EMT-I may revert to the ~~EMT-A~~ EMT-B status for the remainder of the license period. The EMT-I must make this request in writing to the Department. To relicense at the ~~EMT-A~~ EMT-B level, the individual must meet the requirements for relicensure found in Section 535.330.

- f) An EMT-I who has reverted to ~~EMT-A~~ EMT-B status may be subsequently relicensed as an EMT-I, upon the recommendation of a Project Medical Director who has verified that the individual's knowledge and clinical skills are at an active EMT-I level, and the individual has completed any retraining, education or testing deemed necessary by the PMD for resuming EMT-I activities.

- 1) An EMT-I license that ~~expired while the licensee was temporarily disabled or was suspended~~ based on a temporary disability shall be reinstated when the disability ceases, upon application and payment of any applicable fee and verification by the Project Medical Director

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that the licensee is capable of functioning at the EMT-I level, based upon the PMD's assessment of the licensee's knowledge and clinical skills and the licensee's completion of any refresher training deemed necessary by the PMD and approved by the Department. (Section 10(g) of the Act, see P.A. 88-561)

(Source: ~~SEP 13 1995~~) 19 Ill. Reg. 13299, effective

Section 535.440 EMT-I Inactive Status

- a) Prior to the expiration ~~end~~ of the ~~two-year~~ current license ~~period~~, an EMT-I may request to be placed on inactive status. The request shall be made in writing to the Project Medical Director. The Project Medical Director will apply to the Department in writing and request that the EMT-I be placed on inactive status. This application shall contain the following information:

- 1) Name of individual.
- 2) Date of licensure.
- 3) EMT identification number.
- 4) Circumstances requiring inactive status.
- 5) Length of time of inactive status.
- 6) A statement that relicensure requirements have been met by the date of the application for inactive status.

- b) The Department will review requests for inactive status. The Department shall notify the Project Medical Director in writing of its decision based on ~~Section 535.440(a)~~ subsection (a) of this Section.

- c) In order for the EMT-I to return to active status, the Project Medical Director must make application to the Department. The application must be in writing and include a statement that the EMT has been examined (physically and mentally) and found capable of functioning within the EMS System, ~~and~~ that the EMT-I's knowledge and clinical skills are at an active EMT-I level, and that the EMT-I has completed any refresher training deemed necessary by the PMD and approved by the Department. If the inactive status was based on a temporary disability, the PMD shall also verify that the disability has ceased.
- d) During inactive status, the EMT-I shall not function as an EMT, at any level.

(Source: ~~SEP 13 1995~~) 19 Ill. Reg. 13299, effective

SUBPART G: EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC
(EMT-P)

Section 535.500 Emergency Medical Technician-Paramedic Training - General

- a) An EMT-P training program shall only be conducted by an EMS System.

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- b) Applications for approval of EMT-P training programs shall be filed with the Department on forms prescribed, prepared and furnished by the Department. The application shall contain such information as, but not limited to, name of applicant, agency and address, type of training program, Project Medical Director's and EMS System Coordinator's name, dates of training program, signature of Project Medical Director and EMS System Coordinator.
- c) Applications for approval shall be submitted at least ~~sixty~~ 60 days in advance of the first scheduled class.
- d) The Project Medical Director of the EMS System shall attest that the training program shall be conducted according to the United States Department of Transportation's National Standard Curriculum. The EMT-P training program shall include all components of the National Standard Curriculum.
- e) The EMT-P training program's lead coordinators shall be the Project Medical Director and the EMS System Coordinator.
- f) Any change in the EMT-P training program's Project Medical Director and/or EMS System Coordinator shall require the application process as outlined in subsection (b) of this Section.
- g) A candidate for an EMT-P training program must have a current Illinois ~~EMT-A~~ EMT-B or EMT-I license.
- h) Before a candidate is accepted into the program, documentation must be submitted that an EMS System vehicle will be available to accommodate field experience and internship needs.
- i) Each approved training program shall submit a student roster within ~~ten~~ 10 days after the first class.
- j) After an EMT-P candidate has completed and passed all components of the training program, the PMD shall submit to the Department a transaction card (form ~~Form No. 18PH-BP-017--1-85~~ IL 482-0837) concerning that individual.
- k) All approved programs shall maintain class and student records for seven ~~7~~ years and these shall be made available to the Department upon request.

(Source: ~~SEP 13 1995~~ 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.520 EMT-P Licensure

- a) In order to be licensed by the Department as an EMT-P an individual must:
- 1) Pass either the National Registry of Emergency Medical Technicians examination or the Department's EMT-P examination; and
 - 2) Complete a field internship on a State-approved EMS System vehicle, supervised by an EMT-P with one year of experience, a Registered Professional Nurse designated by the Project Medical Director, or a physician with critical care knowledge and

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- experience on an EMS vehicle.
- A) The length and structure of the field internship shall be determined by the PMD for the System in which the internship is performed, based on the types and frequencies of emergency calls encountered by EMT-Ps within that System, but shall include a minimum of ~~ten~~ 10 Advanced Life Support runs.
- B) The field internship shall be completed within ~~twelve~~ 12 months after passing the EMT-P examination. If an extension of time is needed due to hardship, a waiver shall be sought pursuant to Section 535.750 of this Part, prior to the end of the ~~twelve~~ 12-month period.
- C) An EMT-P candidate who completes the internship after the ~~twelve~~ 12-month period, pursuant to waiver, shall be given a practical examination by the PMD. Such examination shall cover patient assessment and appliance application at the EMT-P level.
- D) The PMD shall notify the Department, in writing, when an EMT-P candidate has completed the field internship and passed a practical examination, if applicable, and advanced life support services, as verified by that System's Project Medical Director.
- 3) Be functioning within a State-approved EMS System providing advanced life support services, as verified by that System's Project Medical Director.
- b) The Department will license those individuals who meet the requirements of this Section for a period of ~~two~~ 2 years.

(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.530 EMT-P Relicensure

- a) In order to be relicensed as an EMT-P:
- 1) The EMT-P licensee must file with the Department an application for renewal on a form prepared by the Department at least ~~thirty~~ 30 days prior to the ~~two~~ 2 year ~~certification~~ license expiration date.
 - A) The submission of a transaction card (Form No. ~~18PH-BP-017~~ IL 482-0837) by the Project Medical Director will satisfy the renewal application requirement for a licensee who has been recommended for relicensure by the Project Medical Director.
 - B) A licensee who has not been recommended for relicensure by the Project Medical Director must independently submit to the Department an application for renewal. The Project Medical Director shall provide the licensee with a copy of the appropriate form to be completed.
 - 2) A written recommendation signed by the Project Medical Director must be provided to the Department regarding completion of the

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following requirements:

- A) ~~A--minimum--of--forty--(40)--hours--of--continuing--education--in--each--of--the--last--two--(2)--years--earned--in--accordance--with--the--System's--policies--~~ Sixty hours of continuing education, seminars and workshops during each two-year portion of the licensure period, not more than 25 percent to be in any single area, i.e., extrication, cardiac, etc.
- B) A current CPR certificate, which covers:
- Adult one-rescuer CPR
 - Adult foreign body airway obstruction management
 - Pediatric one-rescuer CPR
 - Pediatric foreign body airway obstruction management
 - Adult two-rescuer CPR
 - Pediatric two-rescuer CPR.
- C) Functioning within a State-approved EMS System providing advanced life support services as verified by that System's Project Medical Director.
- b) Upon denial of recommendation for relicensure, the Project Medical Director must submit all reasons for denial. This denial shall be in writing and sent to the EMT-P and the Department.
- c) The license of an EMT-P who has failed to file an application for renewal, or whose application for renewal has been denied by the Department, shall terminate on the day following the expiration date shown on the license.
- d) At any time prior to the expiration date of the current license, the EMT-P may revert to either the EMT-I or ~~EMT-A~~ EMT-B status for the remainder of the license period. The EMT-P must make this request in writing to the Department and in the case of reduction to the EMT-I level, the request must include a letter of recommendation from the Project Medical Director. To relicense at the ~~EMT-A~~ EMT-B level, the individual must meet the requirements for relicensure found in Section 535.330. To relicense at the EMT-I level, the individual must meet the requirements for relicensure found in Section 535.430.
- e) An EMT-P who has reverted to EMT-I or ~~EMT-A~~ EMT-B status may be subsequently relicensed as an EMT-P, upon the recommendation of a Project Medical Director who has verified that the individual's knowledge and clinical skills are at an active EMT-P level, and the individual has completed any retraining, education or testing deemed necessary by the PMD for resuming EMT-P activities.

f) An EMT-P license that expired while the licensee was temporarily disabled or was suspended based on a temporary disability shall be reinstated when the disability ceases, upon application and payment of any applicable fee and verification by the project medical director that the licensee is capable of functioning at the EMT-P level, based upon the PMD's assessment of the licensee's knowledge and clinical skills and the licensee's completion of any refresher training deemed necessary by the PMD and approved by the Department. (Section 10(g) of the Act, see P.A. 88-564)

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(Source: Amended at 19 Ill. Reg. 13299, effective SEP 15 1995)

Section 535.540 EMT-P Inactive Status

- a) Prior to the expiration end of the two-year current license period, an EMT-P may request to be placed on inactive status. The request shall be made in writing to the Project Medical Director. The Project Medical Director will apply to the Department in writing and request that the EMT-P be placed on inactive status. This application shall contain the following information:
- 1) Name of individual.
 - 2) Date of licensure.
 - 3) EMT identification number.
 - 4) Circumstances requiring inactive status.
 - 5) Length of time of inactive status.
 - 6) A statement that relicensure requirements have been met by the date of the application for inactive status.
- b) The Department will review requests for inactive status. The Department shall notify the Project Medical Director in writing of its decision based on subsection (a) of this Section.
- c) In order for the EMT-P to return to active status, the Project Medical Director must make application to the Department. The application must be in writing and include a statement that the EMT has been examined (physically and mentally) and found capable of functioning within the EMS System, and that the EMT-P's knowledge and clinical skills are at an active EMT-P level, and that the EMT-P has completed any refresher training deemed necessary by the PMD and approved by the Department. If the inactive status was based on a temporary disability, the PMD shall also verify that the disability has ceased.
- d) During inactive status, the EMT-P shall not function as an EMT, at any level.

(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299, effective SEP 15 1995)

SUBPART I: SUSPENSION, REVOCATION AND DENIAL OF LICENSURE OF EMTs

Section 535.650 Suspension, Revocation and Denial of Licensure of EMTs

- a) The Director, after providing notice and an opportunity for an administrative hearing to the applicant or licensee, shall deny, suspend or revoke a license or refuse to relicense any person as an ~~EMT-A~~ EMT-B, ~~EMT-I~~ or EMT-P in any case in which he or she finds that there has been a substantial failure to comply with the provision of the Emergency Medical Services (EMS) Systems Act or this Part. Such findings must show one or more of the following:

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- 1) The EMT-A [EMT-B], EMT-I or EMT-P has not met continuing and additional education and training requirements as prescribed by the Department in this Part. (Section 10(b)(1) of the Act);
 - 2) The EMT-A [EMT-B], EMT-I or EMT-P has violated this the Act or any rule promulgated under this the Act; (Section 10(b)(2) of the Act);
 - 3) The EMT-A [EMT-B], EMT-I or EMT-P has failed to maintain proficiency in providing basic or intermediate life support services, or advanced life support-mobile intensive care services or required skills as prescribed by the Department; (Section 10(b)(3) of the Act);
 - 4) The EMT-A [EMT-B], EMT-I, or EMT-P, during the provision of emergency services, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public (e.g., use of alcohol or illegal drugs while on duty, verbal or physical abuse of a patient, or misrepresentation of licensure status); (Section 10(b)(4) of the Act);
 - 5) The EMT-A [EMT-B], EMT-I or EMT-P is physically impaired to the extent that he or she cannot physically perform the emergency care and life support functions for which he or she is licensed, as verified by a physician, unless the person is an EMT-I or EMT-P on inactive status pursuant to Department regulations (Section 10(b)(5) of the Act); or
 - 6) The EMT-A [EMT-B], EMT-I or EMT-P is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the emergency care and life support functions for which he or she is licensed, as verified by a physician, unless the person is an EMT-I or EMT-P on inactive status pursuant to Department regulations. (Section 10(b)(6) of the Act)
- b) "Substantial Failure", as used in this Section, means a failure other than a variance from the strict and literal requirements, which results in unimportant omissions, given the particular circumstances involved.
- c) "Revocation", as used in this Section, means that the Department-issued license is terminated.
- d) "Suspension", as used in this Section, means that the Department-issued license is invalid for an identified period of time determined necessary to correct substantial failure.
- e) The Director shall suspend a license in any case in which he or she finds that the substantial failure by the licensee can be corrected or remedied within an identified period of time determined necessary to correct the substantial failure prior to the expiration of the license. If the substantial failure cannot be corrected or remedied within an identified period of time prior to the expiration of the license, then the Director shall revoke the license.

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(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299, effective _____)

Section 535.810 Field RN Training

- a) Applications for approval of Field RN Training programs shall be filed with the Department on forms prescribed, prepared and furnished by the Department and similar to those prescribed for EMT-P training programs.
- b) Applications for approval shall be submitted at least thirty-~~4~~ 30+ days in advance of the first scheduled class.
- c) The Project Medical Director of the EMS System shall attest that the training program shall include:
 - 1) A course in extrication training which is based upon the United States Department of Transportation, National Standard Curriculum for EMT-Ambulance Basic;
 - 2) A course which is based upon the United States Department of Transportation, National Standard Curriculum for EMT-Paramedic, Division 1, Pre-Hospital Environment, Sections 1 through 7;
 - 3) The American Heart Association Advanced Cardiac Life Support (ACLS) course or a course in dysrhythmia identification, therapeutic modalities, pharmacokinetics, intubation, defibrillation and management of cardiac resuscitation that which is based upon the ACLS course;
 - 4) A pre-hospital trauma course, which shall be either trauma nurse specialist or nurse trauma life support or their equivalents as approved by the Project Medical Director (Section 4.21 of the Act); and
 - 5) Completion of the necessary field experience required by the program as approved by the Department on a State-approved EMS System vehicle supervised by a licensed EMT-P with a minimum of one year's experience, a Field RN with a minimum of one year's field experience, or a physician with critical care knowledge and experience on an EMS vehicle.

(Source: Amended SEP 15 1995 at 19 Ill. Reg. 13299; effective _____)

SUBPART N: ADMINISTRATIVE WARNINGS AND FINES

Section 535.1000 Administrative Warnings and Fines

- a) The Director shall investigate complaints that a facility, pre-hospital care provider or system participant has violated any provision of the Act or any protocol, standard or rule adopted pursuant thereto. (Section 25(c) of the Act);
- b) If the Director finds that such a violation has occurred, he or she may issue to the facility, pre-hospital care provider or system

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participant a *Notice of Administrative Warning*. Such notice shall include:

- 1) A description of the violation;
 - 2) A citation to the Section of the Act, rule, protocol or standard alleged to have been violated;
 - 3) A description of any corrective action which the facility, pre-hospital care provider or System participant may take in order to abate the Notice of Administrative Warning, if any; and
 - 4) The opportunity to request an administrative hearing prior to implementation of the administrative warning, provided such request for a hearing is made within 15 days after mailing or service of the notice. (Sections 25 (c), (d) of the Act).
- c) In addition, the Director may issue a *Notice of Fine*, under the following conditions:
- 1) If the Director determines that the violation creates or created a condition or occurrence presenting a substantial probability that death or serious physical harm to an individual will result therefrom, the Director may impose a fine not exceeding \$10,000.
 - 2) If the Director determines that the violation creates or created a condition or occurrence which threatens the health, safety or welfare of an individual, the Director may impose a fine not exceeding \$5,000. (Section 25(c) of the Act).
 - 3) In determining the amount of a fine, the Director shall also consider the following factors:
 - A) The severity of the actual or potential harm to an individual.
 - B) The numbers and types of protocols, standards, rules or Sections of the Act which were violated in the course of creating the condition or occurrence at issue.
 - C) The reasonable diligence exercised by the facility, pre-hospital care provider or System participant to avoid the violation(s) or to reduce the potential harm to individuals.
 - D) Efforts by the facility, pre-hospital care provider or System participant to correct the violation(s).
 - E) Any previous violation(s) of a like or similar nature by the facility, pre-hospital care provider or System participant.
 - F) Any financial benefit to the facility, pre-hospital care provider or System participant of continuing the violation(s).

4) The Notice of Fine shall include:

- A) A description of the violation(s) for which the fine is being imposed.
- B) A citation to the Sections of the Act, rules, protocols or standards alleged to have been violated.
- C) The amount of the fine.
- D) The opportunity to request an administrative hearing prior to imposition of the fine, provided such request for a

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hearing is made within 15 days after mailing or service of the notice. (Section 25(c), (d) of the Act).

- 5) All fines shall be paid to the Department within the following time periods:
 - A) If the fine is not contested, no later than 10 days after the Notice of Fine.
 - B) If the fine is contested under Section 25(d) of the Act, no later than 10 days after receipt of the Director's Final Order, unless the facility, pre-hospital care provider or System participant appeals the Director's Final Order pursuant to the provisions of the Administrative Review Law and the reviewing court issues an order staying the Director's Final Order.
- d) For purposes of this Section.
 - 1) "Facility" means a trauma center, resource hospital, associate hospital, participating hospital, or another hospital.
 - 2) "Pre-Hospital Care Provider" means an ambulance service provider or specialized emergency medical service vehicle that which is not owned, operated, licensed or regulated by any unit of local government, or an Emergency Medical Technician-Basic Ambulance (EMT-BEMT-A) who is not affiliated with an EMS System.
 - 3) "System Participant" means an EMS System Coordinator, Associate Hospital EMS Medical Director, Associate Hospital EMS Coordinator, or Field RN, MICN or physician serving on an ambulance or giving voice orders to field personnel. (Section 25(c) of the Act.)

(Source: Amended SEP 13 1995)

19

Ill.

Reg.

13299

effective

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1) Heading of the Part: Hospital Licensing Requirements

2) Code Citation: 77 Ill. Adm. Code 250

<u>Section Numbers:</u>	<u>Adopted Action:</u>
250.160	Amendments
250.265	New Section
250.310	Amendments
250.330	Amendments
250.1270	Amendments
250.1410	Amendments
250.1910	Amendments
250.1980	Amendments
250.2420	Amendments
250.2450	Amendments
250.2460	Amendments
250.2470	Amendments
250.2480	Amendments
250.2490	Amendments
250.2500	Amendments
250.2620	Amendments
250.2660	Amendments

4) Statutory Authority: Hospital Licensing Act (210 ILCS 85)

5) Effective Date of Rules: September 15, 1995

6) Does this Rulemaking Contain an Automatic Repeal Date? No

7) Does this Rulemaking Contain Any Incorporations By Reference? Yes

8) Date Filed in Agency's Principal Office: September 15, 1995

9) Date Notice(s) of Proposal was Published in Illinois Register: March 10, 1995 - 19 Ill. Reg. 2673

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No

11) Difference Between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

1. On line 285, add "." after the zip code. Do not strike out "See"; delete "see".
2. On line 286, strike out the "]" and add an underlined bracket after

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the period.

3. On line 344, add after "Pediatrics", "and American College of Obstetricians and Gynecologists".
4. On lines 344 and 345, strike "Standards and Recommendations for Hospital Care for Newborn".
5. On line 346, delete "Infant"; strike out "(1985)" and add "Guidelines for Perinatal Care, Third Edition (1992)".
6. On line 348, add after the zip code "-0927".
7. On line 353, strike "600 Maryland Avenue" and add "409 12th Street,".
8. On lines 353 and 354, strike "Suite 300 East,"; add "-1288" after the zip code.
9. Strike out/delete "(Ill. Rev. Stat...)" on lines 425, 426, 427, 428, 430, 431, 432, 433, 434, 435, 436, 437, 440, 441, 445, 446, 454, 455, 456, and 457.
10. Add after line 458, "(1) The Illinois Nursing Act (225 ILCS 651).".
11. Strike out/delete "(Ill. Rev. Stat...)" on lines 590, 626 and 627.
12. On line 733, insert "(" before "Section".
13. On line 744, change "with" to "within".
14. On line 940, strike out "anesthesia service" and insert "Anesthesia Service".
15. On line 1115, delete the underlining from "Final Drawings".
16. On line 1148, delete "herein" and delete the underlining from "in this Part".
17. Strike out the sentence beginning on line 1151 and ending on line 1155. On line 1155 strike out "in this Part".
18. On line 1156, delete the stricken out words beginning with "the-tetest edition..." and ending with "...in-Appendix-A7-Exhibit-A-" on line 1160. Then add "Codes-and-standards-which-are-required-are-listed--in Section-250-160-".
19. Move the "3)" on line 1160 and indent even with "2)" on line 1156.

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20. On line 1162, add "(1993)" after the word "Code".
21. On line 1183, delete "~~Appendix--A7--Exhibit--B-~~" and remove the underlining from "Section 250.160."
22. On line 1200, move the text up to begin after the colon in line 1199.
23. On line 1224, insert "must" after "locks".
24. On line 1227, strike out "~~knob~~" and add "lever type".
25. On line 1229, after the word "shall" add "be by manual means only.
Operation of the release device"; strike out the word "~~activate~~" and replace with "activates".
26. On line 1269, strike " , wire".
27. On line 1270, strike "glass,".
28. On line 1275, strike "Wire" and add "Fire-rated".
29. In line 1284, change "_" to "._".
30. On line 1314, add "or stronger" after "glass" and before ".".
31. In line 1381, move the text up to line 1380 after "Elevators.".
32. On line 1410, strike out "~~5+0-by-7+6~~" and add "7' x 9'".
33. In line 1380, strike out the comma after "spaces".
34. Strike out/Delete all of lines 1547-1550.
35. In line 1604, strike out the colon after "to".
36. In lines 1741, 1763, 1830, 1856, 1890, 1914, 1938, 1963, 2026, and 2065, strike out "ventilations" and insert "ventilation".
37. In line 1994, do not strike out "disease".
38. In line 1995, delete "disease".
39. In line 2121, do not strike out "neutral"; delete "neutral".
40. In line 2190, change "+" to "+".
41. In line 2416, strike out the period.

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42. In line 2451, strike out the period.
 43. In line 2622, delete the underlining.
 44. In line 2680, strike out "ductwork" and insert "duct work".
 45. In line 2691, close up the space after "f".
- Various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? The Department has made all the changes to which it agreed with the Joint Committee.
 - 13) Will the Rules Replace an Emergency Rule Currently in Effect? No
 - 14) Are there any other Amendments Pending on this Part? Yes
- | Section Numbers | Proposed Action | Ill. Reg. Citation |
|-----------------|-----------------|--------------------|
| 250.1090 | Amendments | 19 Ill. Reg. 10407 |
| 250.1100 | Amendments | 19 Ill. Reg. 10407 |
| 250.1820 | Amendments | 19 Ill. Reg. 10407 |
| 250.1830 | Amendments | 19 Ill. Reg. 10407 |
- 15) Summary and Purpose of Rules:

These rules establish licensure requirements for hospitals in accordance with the Hospital Licensing Act. The amendments will implement statutory changes and will facilitate the Department's enforcement of the rules.

Section 250.160 (Incorporated and Referenced Materials) is being amended to update the standards and regulations incorporated in the rules, such as the National Fire Protection Association's (NFPA) Life Safety Code and guidelines published by the Centers for Disease Control. Incorporation of the International Conference of Building Officials (ICBO) Uniform Building Code is deleted and replaced with the Building Officials Code Administrators (BOCA) National Building Code. Citations to the Illinois Compiled Statutes have also been added, and references to the Illinois Revised Statutes have been deleted.

Section 250.265 (Language Assistance Services) is being added in response to P.A. 88-244, the Language Assistance Services Act, which became effective January 1, 1994. The Act sets forth options that a hospital may choose in order to insure access to health care information and services.

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for limited-English-speaking, non-English speaking, and deaf patients.

Section 250.310 (Organization) is being amended in response to P.A. 88-654 (effective January 1, 1995), which amended the Hospital Licensing Act to establish specific requirements for the credentialing of medical staff. Hospital bylaws governing medical staff membership must include provisions for granting, limiting, renewing, or denying medical staff membership and clinical staff privileges. Adverse determinations concerning applications for medical staff membership and clinical privileges must be communicated to the applicant in writing and must include an explanation for the determination. Notice and hearing provisions are also included in the amendments. County hospitals are exempt from these requirements.

Section 250.330 (Orders for Medications and Treatments) is being amended to add a subsection stating that the medical director of the physical therapy or rehabilitation department may authorize the provision of physical therapy or rehabilitation services or treatments at the request of other than members of the medical staff in accordance with policies approved by the medical staff and Board.

Section 250.1270 (Surgical Patients) is being amended to add a reference to the exemptions contained in Section 250.510(h)(1) concerning tissues/specimens removed at surgery.

Sections 250.1410 (Anesthesia Services), 250.1980 (Fire and Safety), 250.1910 (Maintenance) are being amended to update incorporations of NFPA standards.

Sections 250.2420 (Submission of Plans for New Construction, Alterations or Additions to Existing Facility), 250.2450 (Details), 250.2460 (Finishes), 250.2470 (Structural), 250.2480 (Mechanical), 250.2490 (Plumbing and Other Piping Systems), 250.2500 (Electrical Requirements), 250.2620 (Codes and Standards), 250.2660 (Mechanical) are being amended to update incorporations of NFPA and ASHRAE standards and to change incorporations of the Uniform Building Code to the BOCA National Building Code.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito
Division of Governmental Affairs
Department of Public Health
535 West Jefferson, Fifth Floor,
Springfield, IL 62761
(217) 782-6187

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250

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250.160

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Application for and Issuance of a License to Operate a Hospital
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Patients' Rights
Language Assistance Services
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 250.520 Blood and Blood Components
 250.525 Designated Blood Donor Program
 250.530 Proficiency Survey Program (Repealed)
 250.540 Laboratory Personnel (Repealed)
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SUBPART F: RADIOLOGICAL SERVICES

Section

250.610 General Diagnostic Procedures and Treatments
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250.710 Classification of Emergency Services
 250.720 General Requirements
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SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

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 250.820 General
 250.830 Classifications of Restorative and Rehabilitation Services
 250.840 General Requirements for all Classifications
 250.850 Specific Requirements for Comprehensive Physical Rehabilitation Services
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250.910 Nursing Services
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 250.940 Job descriptions
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ILLUSTRATION A

Seismic Zone Map

APPENDIX A

Codes and Standards (Repealed)

EXHIBIT A

Codes (Repealed)

EXHIBIT B

Standards (Repealed)

EXHIBIT C

Addresses of Sources (Repealed)

TABLE A

Measurements Essential for Level I, II, III Hospitals

TABLE B

Sound Transmission Limitations in General Hospitals

TABLE C

Filter Efficiencies for Central Ventilation and Air Conditioning Systems in General Hospitals (Repealed)

TABLE D

General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)

TABLE E

Piping Locations for Oxygen, Vacuum and Medical Compressed Air

TABLE F

General Pressure Relationships and Ventilation of Certain Hospital Areas

TABLE G

Insulation, Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act (210 ILCS 35).

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of

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150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective SEP 15 1995.

SUBPART A: GENERAL

Section 250.160 Incorporated and Referenced Materials

a) The following regulations and standards and statutes are incorporated or referenced in this Part:

1) Private and professional association standards:

A) American Society for Testing and Materials (ASTM), Standard No. E90 (1975): Recommended Practice for Laboratory Measurement of Airborne Sound Transmission Loss of Building Floors and Walls, which may be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103. (See Section 250.2420-477.1)

B) American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), Standard No. 55-68 (1969): Methods of Testing Air-Cleaning Devices Used in General Ventilation for Removing Particulate Matter which may be obtained from the National Association of American Society of Heating, Refrigerating, and Air Conditioning United Engineering Center, 345 East 47th Street, New York, New York 10017; Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, GA 30317. See Section 250.2420-477.1

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- 1) ASHRAE Handbook of Fundamentals (1981);
 ii) ASHRAE Handbook for Equipment Volume (1983);
 iii) ASHRAE Handbook for Systems (1984);
 iv) ASHRAE Handbook for Applications (1982).
 The Compressed Gas Association (CGA), Pamphlet P-2.1 (1970): Standard for Medical-Surgical Vacuum Systems in Hospitals, which may be obtained from the Compressed Gas Association, 1235 Jefferson Davis Highway, Arlington, Virginia 22202. [See Section 250.2490+*7-and-+*7+.]
 National Fire Protection Association (NFPA), Standard No. 101 +*90+* (1994): Life Safety Code [See see Sections 250.2420, 250.2450, 250.2460, 250.2470, and 250.2490] and the following standards, which may be obtained from the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.
 i) No. 10 +*97+* (1990): Installation of Portable Fire Extinguishers. (See Section 250.1980+*7+.)
 ii) No. 13 +*90+* (1994): Sprinkler Systems. (See Sections 250.2490+*7+ and 250.2670+*7+*7+.)
 iii) No. 13A +*90+* (1987): Sprinkler Systems Maintenance. [See Sections 250.2490+*7+ and 250.2670+*7+*7+.]
 iv) No. 14 +*90+* (1990): Standpipe and Hose Systems. [See Sections 250.2490+*7+*2+ and 250.2670+*7+*2+.]
 v) No. 30 +*90+* (1990): Flammable and Combustible Liquids Code. [See Section 250.1980+*7+.]
 vi) No. 56A +*97+* (1978)---Anesthesia-Anesthetics---(See-Section 250-+*10+*7+---250-+*90+*7+---and-250-+*46+*7+)
 vii) No. 56F +*97+*---Non-flammable-Medical-Gases---Systems---(See---Sections---250-+*10+*7+---250-+*90+*7+---and-250-+*490+*7+)
 viii) No. 70 +*90+* (1993): National Electrical Code. [See Sections 250.2440 and 250.2500+.]
 ix) No. 80 +*97+* (1990): Standard for Fire Doors and Windows. [See Section 250.2450+*7+.]
 x) No. 82 +*97+* (1990): Incinerators and Rubbish Handling. [See Section 250.2440+*7+*7+.]
 xi) No. 90A +*97+* (1989): Installation of Air Conditioning and Ventilating Systems. [See Section Sections 250.2480 and 250.2660+*7+*2+.]
 xii) No. 96 +*90+* (1991): Vapor Removal Cooking Equipment. [See Section 250.2660+*7+*7+*7+.]
 xiii) No. 99 (1993): Health Care Facilities Code. [See Sections 250.1410, 250.1980, 250.1910, 250.2460, 250.2480 and 250.2660.]
 xiv) No. 101-M (1992): Alternative Approaches to Life Safety. [See Section 250.2620+.]
 xv) No. 220 +*97+* (1992): Standard Types of Building Construction. [See Sections 250.24+*7+*7+ and

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- xiv) No. 255 (1990): Standard Method of Test of Surface Burning Characteristics of Building Material. [See Section 250.2480.]
- *xv) No. 701 (1977): Fire Tests for Flame-Resistant Textiles and Films. [See Sections 250.2460 and 250.2650.]
- E) American Academy of Pediatrics and American College of Obstetricians and Gynecologists, "Standards--and Recommendations--for--Hospital-Care--for--Newborn--Infants--1985" Guidelines for Perinatal Care, Third Edition (1992), which may be obtained from the American Academy of Pediatrics, 141 Northwest Point Road, Elk Grove Village Illinois 60607-0922. [See Section 250.1820.]
- F) American College of Obstetricians and Gynecologists, Standards for Obstetric-Gynecologic Services, Seventh Edition (1989) and Manual of Standards (1985), which may be obtained from the American College of Obstetricians and Gynecologists, 409 12th Street, SE, Suite-300-Basement Washington, D.C. 20024-1288. [See Section 250.1820.]
- G) National Council on Radiation Protection and Measurements (NCRP), Report No. 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma Rays of Energies up to 10 MeV (1976) and NCRP Report No. 102: Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies Up to 50 MeV (Equipment Design, Performance and Use) (1989), which may be obtained from the National Council on Radiation Protection and Measurement Measurements, P-O Box-30135-Washington-B-6-20004 7910 Woodmont Ave., Suite 800, Bethesda, Maryland 20814-3095. [See Sections 250.2440 and 250.2450.]
- H) DOP Penetration Test Method MIL STD No. 282 (1976): Filter Units, Protective Clothing, Gas-mask Components and Related Products: Performance Test Methods, which may be obtained from Naval Publications and Form Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120. [See Section 250.2480.]
- I) National Association of Plumbing-Heating-Cooling Contractors (PHCC), National Standard Plumbing Code (1957), which may be obtained from the National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street, N.W., Washington, D.C. 20036. [See Section 250.2420.]
- J) International Conference of Building Officials--which may be Uniform-Building-Code--Volume-1-1919-7-which-may-be-obtained-from-the-international-conference-of-building-officials-330-South-Workman-Road-Whittier-California-90607 Building Officials Code Administrators (BOCA)

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International, Eleventh Edition, "The BOCA National Building Code (1993)", which may be obtained from BOCA, Inc., 4051 Flossmoor Road, Country Club Hills, IL 60477-5795. [See Section 250.2420+dt.]

- K) American Standards Association, Inc., Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped (1968); which may be obtained from the American Standards Association, Inc., East 40th Street, New York, New York 10016. [See Section 250.2420+dt.]

- L) Underwriters Laboratories, Inc. (UL), Publication No. 181 (1974): Air Ducts; which may be obtained from Underwriters Laboratories, Inc., 207 East Ohio Street, Chicago, Illinois 60611. [See Section 250.2420+dt.]

- M) Accreditation Council for Graduate Medical Education, Essentials of Accredited Residencies in Graduate Medical Education (1990), which may be obtained from the Accreditation Council for Graduate Medical Education, 535 North Dearborn Street, Chicago, Illinois 60610. [See Section 250.315+dt.]

2) Federal Government Publications:

- A) Department of Health and Human Services, United States Public Health Service, Center Centers for Disease Control, "CDC Guidelines for Isolation Precautions in Hospitals" and "CDC Guidelines for Infection Control in Hospital Personnel," July 1993; which may be obtained from National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161+isolation-techniques-for-use-in-hospitals. [See Section 250.1100+dt.]
- B) Department of Health and Human Services, Bureau of Quality Assurance, "Federal Proficiency Examination Program for Clinical Laboratory Technologists," (See Section 250.549+dt.)

- e) National Bureau of Standards, "Technical Note 708, Appendix II: Test Method for Measuring the Smoke Generation Characteristics of Solid Materials" (1982); which may be obtained from American National Standards Institute, 1430 Broadway, New York, NY 10018. [See Section 250.2420+dt.]
- b) All incorporations by reference of federal regulations and standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

c) The following statutes and State regulations are referenced in this Part:

- 1) State of Illinois statutes:
 2) State of Illinois Statutes:
 a) Hospital Licensing Act [210 ILCS 85]. (1999-Rev-Stat-1989

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- 1991-CH-111-1727-PAR-1151-142-ET-SEQ-7
 B) Illinois Health Facilities Planning Act [20 ILCS 3906]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- C) Medical Practice Act of 1987 [225 ILCS 60]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- D) Podiatric Medical Practice Act of 1987 [225 ILCS 1001]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- E) Pharmacy Practice Act of 1987 [225 ILCS 85]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- F) Physicians Assistant Practice Act of 1987 [225 ILCS 95]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- G) Illinois Clinical Laboratory Act [210 ILCS 25]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- H) Radiation Installations Act [210 ILCS 90]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- I) X-ray--or--concerning--the--retention--for--use--in--investigation--of--Retention Act [210 ILCS 90]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- J) X-ray--or--concerning--the--retention--for--use--in--investigation--of--Retention Act [210 ILCS 90]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- K) Safety Glazing Materials Act [430 ILCS 60]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- L) Mental Health and Developmental Disabilities Code [405 ILCS 51]. (1999-Rev-Stat-1989-1991-CH-111-1727-PAR-1151-142-ET-SEQ-7)

- M) The Illinois Nursing Act [225 ILCS 65].

- N) State of Illinois regulations Rules:

- A) Department of Public Health, Illinois Plumbing Code (77 Ill. Adm. Code 890).

- B) Department of Public Health, Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545).

- C) Department of Public Health, Control of Communicable Diseases Code (77 Ill. Adm. Code 690).

- D) Department of Public Health, Food Service Sanitation Code (77 Ill. Adm. Code 750).

- E) Department of Public Health, Sanitary Practice for Drinking Water, Sewage Disposal and Restroom Facilities (77 Ill. Adm. Code 895).

- F) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 430).

- G) State Fire Marshal, Boiler and Pressure Vessel Safety (41

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- Ill. Adm. Code 120).
- H) State Fire Marshal, Fire Prevention and Safety (41 Ill. Adm. Code 100).
- I) Department of Nuclear Safety, Standards for Protection Against Radiation (32 Ill. Adm. Code 340).
- J) Department of Nuclear Safety, Use of X-Ray in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill. Adm. Code 360).
- 07 ~~All incorporations by reference of federal regulations and the standards of nationally recognized organizations in this Part refer to the regulations or standards on the date specified and do not include any additions or deletions subsequent to the date specified.~~

(Source: Amended at 19 Ill. Reg. **13355**, effective **SEP 15 1995**)

SUBPART B: ADMINISTRATION AND PLANNING

Section 250.265 Language Assistance Services

- a) For the purpose of this Section:
- 1) Interpreter means a person fluent in English and in the necessary language of the patient who can accurately speak, read, and readily interpret the necessary second language, or a person who can accurately sign and read sign language. Interpreters shall have the ability to translate the names of body parts and to describe completely symptoms and injuries in both languages. Interpreters may include members of the medical or professional staff.
 - 2) Language or communication barriers means either of the following:
 - A) With respect to spoken language, barriers that are experienced by limited-English-speaking or non-English-speaking individuals who speak the same primary language, if those individuals constitute at least 5% of the patients served by the hospital annually.
 - B) With respect to sign language, barriers that are experienced by individuals who are deaf and whose primary language is sign language. (Section 10 of the Language Assistance Services Act) [210 ILCS 87/10]
 - b) To insure access to health care information and services for limited-English-speaking or non-English-speaking patients and deaf patients, a hospital may do one or more of the following:
 - 1) Review existing policies regarding interpreters for patients with limited English proficiency and for patients who are deaf, including the availability of staff to act as interpreters.
 - 2) Adopt and review annually a policy for providing language assistance services to patients with language or communication barriers. The policy shall include procedures for providing, to

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- the extent possible as determined by the facility, the use of an interpreter whenever a language or communication barrier exists, except where the patient, after being informed of the availability of the interpreter service, chooses to use a family member or friend who volunteers to interpret. The procedures shall be designed to maximize efficient use of interpreters and minimize delays in providing interpreters to patients. The procedures shall insure, to the extent possible as determined by the facility, that interpreters are available, either on the premises or accessible by telephone, 24 hours a day. The facility shall annually transmit to the Department of Public Health a copy of the updated policy and shall include a description of the facility's efforts to insure adequate and speedy communication between patients with language or communication barriers and staff.
- 3) Develop, and post in conspicuous locations, notices that advise patients and their families of the availability of interpreters, the procedure for obtaining an interpreter, and the telephone numbers to call for filing complaints concerning the interpreter service problems, including, but not limited to, a T.D.D. number for the hearing impaired. The notices shall be posted, at a minimum, in the Emergency Room, the admitting area, the facility entrance, and the outpatient area. Notices shall inform patients that interpreter services are available on request, shall list the languages for which interpreter services are available, and shall instruct patients to direct complaints regarding interpreter services to the Department of Public Health, including the telephone numbers to call for that purpose.
 - 4) Identify and record a patient's primary language and dialect on one or more of the following: a patient medical chart, hospital bracelet, bedside notice, or nursing card.
 - 5) Prepare and maintain, as needed, a list of interpreters who have been identified as proficient in sign language and in the languages of the population of the geographical area served by the facility who have the ability to translate the names of body parts, injuries, and symptoms.
 - 6) Notify the facility's employees of the facility's commitment to provide interpreters to all patients who request them.
 - 7) Review all standardized written forms, waivers, documents, and informational materials available to patients on admission to determine which to translate into languages other than English.
 - 8) Consider providing its nonbilingual staff with standardized picture and phrase sheets for use in routine communications with patients who have language or communication barriers.
 - 9) Develop community liaison groups to enable the facility and the limited-English-speaking, non-English-speaking, and deaf communities to ensure the adequacy of the interpreter services. (Section 15 of the Language Assistance Services Act)

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(Source: Added 5 1995 19 Ill. Reg. 13355, effective _____)

SUBPART C: THE MEDICAL STAFF

Section 250.310 Organization

a) The medical staff shall be organized in accordance with written bylaws, rules and regulations, approved by the Governing Board. The bylaws, rules and regulations shall specifically provide but not be limited to the following provisions:

- 1) establishing written procedures relating to the acceptance and processing of initial applications for medical staff membership, granting and denying of medical staff reappointment, and medical staff membership or clinical privileges disciplinary matters in accordance with subsection (b) of this Section for county hospitals as defined in subsection (c) of Section 15-1 of the Illinois Public Aid Code [305 ILCS 5/15-1], or subsection (c) of this Section for all other hospitals. A) The procedures for initial applicants at any particular hospital may differ from those for current medical staff members. However, the procedures at any particular hospital shall be applied equally to each practitioner eligible for medical staff membership under Section 250.150 (Medical Staff) of this Part. B) The procedures relating to evaluating individuals for staff membership whether the practitioners are or are not currently members of the medical staff, shall include procedures for determination of qualifications and privileges criteria for evaluation of qualifications and procedures requiring information about current health status, current license status in Illinois, and biennial review or renewal of license. B) The procedure shall grant to current medical staff members at least written notice of an adverse decision by the Governing Board, an explanation and reasons for an adverse decision, the right to examine and/or present copies of relevant information, if any, related to an adverse decision, an opportunity to appeal an adverse decision, and written notice of the decision resulting from the appeal. The procedures for providing written notice shall include timeframes for giving such notice. B) The procedures shall provide that, prior to the granting of any medical staff privileges to an applicant, or renewing a current medical staff member's privileges, the hospital shall request of the director of the Department of Professional Regulation information concerning the licensure status and any disciplinary action taken against the applicant's or medical staff member's license. This provision shall not apply to medical personnel who enter a hospital to obtain organs and tissues for transplant from a deceased donor in accordance with the Uniform Anatomical Gift Act 1975, ILCS 531.

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(~~1111--Rev--Stat--1989--1991--chr--110--1/2--par--301--etseq--7~~ (Section 10.4 of the Act);

- 2) ~~for such~~ identifying divisions and departments as are warranted (as a minimum, active and consulting divisions are required);
- 3) ~~for such~~ identifying officers as are warranted;
- 4) ~~for~~ establishing committees as are warranted to assure the responsibility for such functions as pharmacy and therapeutics, infection control, utilization review, patient care evaluation, and the maintenance of complete medical records;
- 5) ~~that~~ assuring that active medical staff meetings ~~be~~ are held regularly, and that written minutes of all meetings ~~be~~ are kept;
- 6) ~~for review and analysis of~~ reviewing and analyzing the clinical experience of the hospital at regular intervals -- the medical records of patients to be the basis for such review and analysis;
- 7) identifying conditions or situations which require consultation, including consultation between medical staff members in complicated cases;
- 8) ~~for consultation between medical staff members in complicated cases;~~
- 9) ~~8) that~~ examining of tissue removed at during operation operations ~~shall be examined~~ by a qualified pathologist and requiring that the findings ~~shall be~~ are made a part of the patient's medical record;
- 10) ~~9) for~~ keeping completed medical records;
- 11) ~~10) for~~ written maintaining a Utilization Review Plan which shall be in accordance with the Conditions of Participation for Hospitals in the Medicare Program;
- 12) ~~11) for~~ establishing Medical Care Evaluation Studies;
- 13) ~~12) A) for~~ establishing policies requiring a physician as first assistant to major and/or hazardous surgery, including written criteria to determine when an assistant is necessary ~~shall be established and be a part of the surgical department procedure manual;~~
- 14) ~~13) B) assuring, through their~~ credentialing by and/or privilege-granting process the medical staff, ~~shall assure~~ that a qualified surgical assistant, whether a physician or non-physician, assists the operating surgeon in the operating room; ~~Refer to subsections (a) (1) (6) (7) (8) and (12) of this Section;~~
- 15) ~~14) A) For determination~~ determining of additional privileges that may be granted a staff member for the use of his/her employed allied health personnel in the hospital in accordance with policies and procedures recommended by the medical staff and approved by the governing authority. The policies and procedures shall include at least requirements that the ~~B) the~~ staff member requesting this additional privilege shall submit for review and

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approval by the medical staff and the governing authority of the hospital;

++A) a the curriculum vitae of the identified allied health personnel, and

++B) a written protocol with a description of the duties, assignments and/or functions, and including a description of the manner of performance within the hospital by the allied health personnel in relationship with other hospital staff;

15) A establishing a mechanism for assisting medical staff members in addressing physical and mental health problems;

16) A implementing a procedure for preserving medical staff credentialing files in the event of the closure of the hospital.

b) The medical staff bylaws for county hospitals as defined in subsection (c) of Section 15-1 of the Illinois Public Aid Code shall include at least the following:

1) The procedures relating to evaluating individuals for staff membership, whether the practitioners are or are not currently members of the medical staff, shall include procedures for determination of qualifications and privileges, criteria for evaluation of qualifications, and procedures requiring information about current health status, current license status in Illinois, and biennial review of renewed license.

2) The procedure shall grant to current medical staff members at least: written notice of an adverse decision by the Governing Board; an explanation and reasons for an adverse decision; the right to examine and/or present copies of relevant information, if any, related to an adverse decision; an opportunity to appeal an adverse decision; and written notice of the decision resulting from the appeal. The procedures for providing written notice shall include timeframes for giving such notice.

c) The medical staff bylaws for all hospitals except county hospitals shall include at least the following provisions for granting, limiting, renewing, or denying medical staff membership and clinical staff privileges: (Section 10.4(b) of the Act)

1) Minimum procedures for initial applicants for medical staff membership shall include the following:

A) Written procedures relating to the acceptance and processing of initial applicants for medical staff membership.

B) Written procedures to be followed in determining an applicant's qualifications for being granted medical staff membership and privileges.

C) Written criteria to be followed in evaluating an applicant's qualifications.

D) An evaluation of an applicant's current health status and current license status in Illinois.

E) A written response to each applicant that explains the reason or reasons for any adverse decision (including all reasons based in whole or in part on the applicant's medical

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qualifications or any other basis, including economic factors). (Section 10.4(b) of the Act)

2) Minimum procedures with respect to medical staff and clinical privilege determinations concerning current members of the medical staff shall include the following:

A) A written explanation of the reasons for an adverse decision or any other basis, including economic factors.

B) A statement of the medical staff member's right to request a fair hearing on the adverse decision before a hearing panel whose membership is mutually agreed upon by the medical staff and the Hospital Governing Board. The hearing panel shall have independent authority to recommend action to the Hospital Governing Board. Upon the request of the medical staff member or the Hospital Governing Board, the hearing panel shall make findings concerning the nature of each basis for any adverse decision recommended to and accepted by the Hospital Governing Board.

i) Nothing in subsection (c)(3)(C) of this Section limits a hospital's or medical staff's right to summarily suspend, without a prior hearing, a person's medical staff membership or clinical privileges if the continuation of practice of a medical staff member constitutes an immediate danger to the public, including patients, visitors, and hospital employees and staff. A fair hearing shall be commenced within 15 days after the suspension and completed without delay.

ii) Nothing in subsection (c)(3)(C) of this Section limits a medical staff's right to permit, in the medical staff bylaws, summary suspension of membership or clinical privileges in designated administrative circumstances as specifically approved by the medical staff. This bylaw provision must specifically describe both the administrative circumstance that can result in a summary suspension and the length of the summary suspension. The opportunity for a fair hearing is required for any administrative summary suspension. Any requested hearing must be commenced with 15 days after the summary suspension and completed without delay. Adverse decisions other than suspension or other restrictions on the treatment or admission of patients may be imposed summarily and without a hearing under designated administrative circumstances as specifically provided for in the medical staff bylaws as approved by the medical staff.

iii) If a hospital exercises its option to enter into an exclusive contract and that contract results in the

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total or partial termination or reduction of medical staff membership or clinical privileges of a current medical staff member, the hospital shall provide the affected medical staff member 60 days prior notice of the effect on his or her medical staff membership or privileges. An affected medical staff member desiring a hearing under subsection (c)(2)(B) of this Section must request the hearing within 14 days after the date he or she is so notified. The requested hearing shall be commenced and completed (with a report and recommendation to the affected medical staff member, Hospital Governing Board, and medical staff) within 30 days after the date of the medical staff member's request. If agreed upon by both the medical staff and the Hospital Governing Board, the medical staff bylaws may provide for longer time periods.

- C) A statement of the member's right to inspect all pertinent information in the hospital's possession with respect to the decision.
- D) A statement of the member's right to present witnesses and other evidence at the hearing on the decision.
- E) A written notice and written explanation of the decision resulting from the hearings.
- F) A written notice of a final adverse decision by the Hospital Governing Board.
- G) Notice given 15 days before implementation of an adverse medical staff membership or clinical privileges decision based substantially on economic factors. This notice shall be given after the medical staff member exhausts all applicable procedures under subsection (c)(2)(B)(iii) of this Section, and under the medical staff bylaws in order to allow sufficient time for the orderly provision of patient care.
- H) Nothing in subsection (c)(2) of this Section limits a medical staff member's right to waive, in writing, the rights provided in subsection (c)(2)(A)-(G) of this Section upon being granted the written exclusive right to provide particular services at a hospital, either individually or as a member of a group. If an exclusive contract is signed by a representative of a group of physicians, a waiver contained in the contract shall apply to all members of the group unless stated otherwise in the contract. (Section 10.4(b) of the Act)
- I) Every adverse medical staff membership and clinical privilege decision based substantially on economic factors shall be reported to the Hospital Licensing Board before the decision takes effect. The reports shall not be disclosed in any form that reveals the identity of any hospital or physician. These

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reports shall be utilized to study the effects that hospital medical staff membership and clinical privilege decisions based upon economic factors have on access to care and the availability of physician services. (Section 10.4(b) of the Act)

b+d) Regardless of any other categories (divisions of the medical staff) having privileges in the hospital, there shall be an active staff which must include physicians and may also include podiatrists and dentists, properly organized, which perform all the organizational duties pertaining to the medical staff. These duties include:

- 1) Maintenance of the proper quality of all medical care and treatment of inpatients and outpatients in the hospital. Proper quality of medical care and treatment includes:

- A) availability and use of accurate diagnostic testing for the types of patients admitted;
- B) availability and use of medical, surgical, and psychiatric treatment for patients admitted;
- C) availability and use of consultation, diagnostic tools and treatment modalities for the care of patients admitted including the care needed for complications which may be expected to occur;
- D) availability and performance of auxiliary and associate staff with documented training and experience in diagnostic and treatment modalities in use by the medical staff and documented training and experience in managing complications which may be expected to occur.

- 2) Organization of the medical staff, including adoption of rules and regulations for its government (which require the approval of the governing body), election of its officers or recommendations to the governing body for appointment of the officers, and recommendations to the governing body upon all appointments to the staff and grants of hospital privileges.
- 3) Other recommendations to the governing body regarding matters within the purview of the medical staff.

e) The medical staff may include one or more divisions in addition to the active staff, but this in no way modifies the duties and responsibilities of the active staff.

f) For the purpose of this Section only:

- 1) Adverse decision means a decision reducing, restricting, suspending, revoking, denying, or not renewing medical staff membership or clinical privileges. Section 10.4(b) of the Act.
- 2) Economic factor means any information or reasons for decisions unrelated to quality of care or professional competency. Section 10.4(b) of the Act.

(Source: Amended at 19 Ill. Reg. 13355, effective

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- a) No medication or treatment or diagnostic test shall be administered to a patient except on the written order of a member of the medical staff or a house staff member under the supervision of a member of the medical staff. Verbal orders shall be used in emergency situations only and signed before the member of the medical staff or the house staff member leaves the area. Telephone orders shall be used sparingly and countersigned within 24 hours.
- b) Members of the Medical Staff and house staff members shall give orders for medication and treatment only to the licensed, registered or certified professional persons who are authorized by law to administer or dispense the medication or treatment in the course of practicing their identified specific discipline.
- c) The medical directors of the laboratory, radiology or other diagnostic services may respectively authorize the performance of diagnostic tests and procedures at the request of other than members of the medical staff in accordance with policies approved by the medical staff and Board.
- d) The medical director of the physical therapy or rehabilitation department may authorize the provision of physical therapy or rehabilitation services or treatments at the request of other than members of the medical staff in accordance with policies approved by the medical staff and Board.

(Source: ~~SEP 15 1995~~ 19 Ill. Reg. 13355, effective SEP 15 1995)

SUBPART J: SURGICAL AND RECOVERY ROOM SERVICES

Section 250.1270 Surgical Patients

- a) Patients undergoing major surgical procedures shall be observed both pre-operatively and post-operatively by a competent nurse specifically assigned to the duty. Such observations shall be documented in the patient's record.
- b) The chart of the patient shall accompany him to the operating suite, to the recovery area and be returned with the patient to the patient care unit.
- c) All tissue/specimens removed at surgery, except those exempted by Section 250.510(h)(1), shall be placed in a container properly labeled and submitted for pathological examination.
- d) An operative report describing techniques and findings shall be written or dictated immediately following surgery and signed by the surgeon.
- e) All infections of clean surgical cases shall be recorded and reported to administration and to the Infection Control Committee. The Infection Control Committee shall determine a procedure for the surveillance of such cases.

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(Source: Amended at 19 Ill. Reg. 13355, effective SEP 15 1995)

SUBPART K: ANESTHESIA SERVICES

Section 250.1410 Anesthesia Service

- a) The Anesthesia Service shall be organized under written policies and procedures regarding staff privileges, the administration of anesthetics, and the maintenance of strict safety controls. In hospitals where there is no organized Anesthesia Service, the Surgery Service shall assume the responsibility for establishing general policies and supervising the administration of anesthetics. The Anesthesia Service is responsible for all anesthetics administered in the hospital.
- b) The Anesthesia Service ~~anesthesia-service~~ shall be under the direction of a physician who has had specialized preparation and/or experience in the area or who has completed a residency in anesthesiology. An anesthesiologist, Board certified or Board eligible, is recommended.
- c) A physician or registered professional nurse shall supervise the work of all nonmedical personnel working in the Anesthesia Service ~~anesthesia-service~~.
- d) Responsibility for regular inspection, maintenance, and repair of anesthesia equipment and supplies shall be established.
- e) The Anesthesia Service ~~anesthesia-service~~, hospital administration, and medical staff shall collaborate to establish policies and procedures ~~rules-and-regulations~~ for the control, storage, and safe use of combustible anesthetics, oxygen and other medicinal gases; types of anesthesia to be administered and procedures for each; personnel permitted to administer anesthesia; infection control and safety regulations to be followed.
- f) The hospital shall recognize the dangers of accidental ignition of anesthetic gases to patients and others and shall make provisions to minimize this hazard in accordance with National Fire Protection Association (NFPA) ~~standards~~ Standard No. 99 (1993), "Health Care Facilities Code."
- g) Appropriate measures shall be taken to acquaint all personnel with the ~~rules-and-regulations~~ policies and procedures established and to assure enforcement.
- h) Anesthetic agents and medicinal gases shall be administered only on the order of a member of the medical staff and shall be administered only by persons qualified in the management of such materials. See Section 250.1410 subsection (e) of this Section.
- 2) ~~Comment---it should be noted that State law requires that persons who administer medication must hold a license or certification permitting them to administer medication--such license or certification issued by the Illinois Department of Registration and Education---See Illinois Attorney General Opinion No. S-1993-~~

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- i) The use and storage of anesthetic gases shall be in accordance with ~~the current edition of the National Fire Protection Bulletin--56A7 Inhalation--Anesthetics--1973--and--56P Non-Flammable Medical Gases--1973--~~ NFPA Standard No. 99 (1993), "Health Care Facilities Code." Areas for cleaning, testing, and storing anesthesia equipment shall be provided.
- j) An anesthetic record on special forms shall be made a part of the patient's chart. Drugs used, vital signs and other relevant information shall be recorded at regular intervals during anesthesia.
- 1) There shall be a history and physical examination by a physician within 48 hours prior to the surgery, with findings recorded in the patient's record. For dental surgery, the history and physical examination may be performed by a dentist who has been granted such privileges by the hospital medical staff.
 - 2) Except in emergency, no anesthetic shall be administered until the patient has had a history and physical examination, and a record made of the findings.
 - k) Patients under or recovering from anesthesia and those who have received sedatives or analgesic shall remain under continuous, direct nursing supervision until vital signs have become ~~stabilized~~ stabilized. Any nurse performing this duty shall have been instructed in the management of post-anesthetic patients, shall have no other clinical duties while supervising such patients, and shall have immediate recourse to the attending surgeon or anesthesiologist, or qualified substitute, present in the hospital.
 - l) Post-anesthetic follow-up visits shall be made within 24 hours after the operation, by the anesthesiologist, nurse anesthetist or responsible physician, who shall note and record any postoperative abnormalities or complications from anesthesia.

(Source: Amended at 19 Ill. Reg. 13355, effective SEP 15 1995)

SUBPART P: ENGINEERING AND MAINTENANCE OF THE PHYSICAL PLANT, SITE, EQUIPMENT, AND SYSTEMS--HEATING, COOLING, ELECTRICAL, VENTILATION, PLUMBING, WATER, SEWER, AND SOLID WASTE DISPOSAL.

Section 250.1910 Maintenance

There shall be an organized engineering and/or maintenance department under competent supervision. The requirements of NFPA Standard No. 99 (1993), "Health Care Facilities Code," shall apply in addition to the following:

- a) Responsibility for maintenance of the physical plant site, equipment and systems shall be vested in the administrator who may delegate responsibility to the proper employees. Maintenance services shall be under the supervision of a qualified engineer or persons who have had commensurate experience in the maintenance of public or private plants, preferably hospitals.

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- b) Personnel engaged in maintenance activities shall receive orientation and follow-up training, including training in principles of asepsis, cross-infection control, and safe practices.
- c) There shall be an effective, organized, detailed preventive maintenance program. Written instructions for operating and maintaining equipment and the various mechanical, electrical, and other systems contained in the hospital shall be available to maintenance personnel.
- d) Maintenance and repairs shall be carried out in accordance with applicable codes, rules, regulations, standards and requirements of local jurisdictions, the State Fire Marshal, and the Department of Public Health.
- e) Space and equipment shall be provided for the managerial activities of the supervisor of maintenance for repair work and for storage of maintenance materials. The storage of paints and oils in patient areas shall not be permitted.
- f) The hospital structure and its component parts and facilities shall be kept in good repair and maintained with consideration for the safety and comfort of the occupants of the building. Mechanical and electrical equipment shall be maintained in good repair and operating condition at all times.
- g) Roads, walks, and parking areas shall be properly maintained. (Refer to Subpart T and Subpart U of ~~these requirements~~ this Part.)

(Source: Amended at 19 Ill. Reg. 13355, effective SEP 15 1995)

Section 250.1980 Fire and Safety

- a) Buildings and equipment shall be so maintained as to prevent fire and other hazards to personal safety.
- b) Exits, stairways, doors, and corridors shall be kept free of obstructions.
- c) Flammable and combustible liquids shall be labeled, stored, handled and used in compliance with the requirements of the National Fire Protection Association (NFPA) Standard No. 30 "Flammable and Combustible Liquids Code."
- d) Flammable and non-flammable gases shall be labeled, handled, and used in compliance with the requirements of ~~National Fire Protection Association NFPA Standard No. 99 (1993), "Health Care Facilities Code," 56A-Inhalation-Anesthetics--56B-Inhalation--Therapy--and--56P Non-flammable Medical Gases--Systems--standards~~ Separate storage for flammable and oxidizing gases shall be provided.
- e) A master fire plan, developed to suit the needs of the facility, and acceptable to the Department, shall be maintained.
- f) Fire regulations listing the fire stations, procedures and staff emergency duties by title or position, shall be posted conspicuously on each floor at appropriate locations, and shall be available in each

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- unit, section and department.
- g) Employees shall be trained in procedures to be followed in the master fire plan.
- h) Fire drills shall be conducted at irregular intervals at least 12 times per year. A record shall be kept of the staff performance and results, and indicated corrective measures shall be made.
- i) Portable fire extinguishers, provided in accordance with National Fire Protection Association NFPA Standard No. 10 (1990), "Installation of Portable Fire Extinguishers", ~~standards~~ shall be inspected at least annually, recharged or repaired as needed and labeled with the dates of the last inspection.
- j) Sprinkler systems, fire hoses, fire detection and alarm devices, and other equipment for use in the fire safety program shall be connected and maintained in a fully functional condition at all times.
- k) Fire detection and protection systems shall be inspected no less than twice a year by a recognized competent authority. A written report of the inspection shall be kept on file at the hospital for at least three years following the date of inspection.
- l) The hospital shall maintain a procedure for reporting to a designated administrative officer on a standard form adopted for the purpose, all accidents to patients, staff employees, or visitors. The report shall include all pertinent information and shall be kept on file for not less than six years after the occurrence reported.
- m) The hospital shall maintain a procedure to investigate fires. A written report of the investigation containing all pertinent information shall be made. The report shall remain on file for not less than six years.

(Source: Repealed 1995 19 Ill. Reg. 13355, effective _____)

SUBPART T: DESIGN AND CONSTRUCTION STANDARDS

Section 250.2420 Submission of Plans for New Construction, Alterations or Additions to Existing Facility

- a) New Construction, Addition, or Major Alteration
- 1) When construction is contemplated, either for new buildings or additions or material alterations to existing buildings coming within the scope of these standards, design development drawings and outline specifications shall be submitted to the Department for review. Approval of design development drawings and specifications shall be obtained from the Department prior to starting final working drawings and specifications. Comments or approval shall be provided within thirty days of receipt by the Department.
 - 2) Final Drawings
 - A) The final working drawings and specifications shall be

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- submitted to the Department for review and approval prior to beginning of construction. For final approval to remain valid, contracts must be signed within one year of approval date. Alternate methods of design development and construction may be acceptable subject to the approval of the Department. Comments or approval shall be provided within 30 days of receipt by the Department.
- B) The Department shall be notified of the award of construction contracts.
 - 3) Any contract modifications which affect or change the function, design, or purpose of a facility shall be submitted to the Department for approval prior to authorizing the modifications. Comments or approval shall be provided within 30 days of receipt by the Department.
 - 4) The Department shall be notified when construction has been completed or whenever any area is occupied.
 - 5) As built drawings should be maintained by the hospital.
- b) Minor Alterations and Remodeling. Minor alterations or remodeling changes which do not affect the structural integrity of the building, which do not change functional operation, which do not affect fire safety, and which do not add beds or facilities over those for which the hospital is licensed, need not be submitted for approval.
- c) Alterations of Water Supply, Plumbing and Drainage. No system of water supply, plumbing, sewage, garbage or refuse disposal shall be installed, nor any such existing system materially altered or extended until complete plans and specifications for the installation, alteration or extension have been submitted to the Department and have been reviewed and approved.
- d) Codes and Standards

- 1) ~~General~~ Nothing stated in this Part shall relieve the sponsor from compliance with building codes, ordinances, and regulations which are enforced by city or county jurisdictions. ~~Where--such codes--ordinances--and--regulations--are--not--in--effect--the--sponsor shall--consult--one--of--the--national--building--codes--generally--used in--the--area--provided--that--the--requirements--of--the--national--code are--consistent--with--the--minimum--requirements--in--this--Part.~~
- 2) ~~List--of--referenced--codes--and--standards--Codes--and--standards which--are--required--are--listed--in--Section--250-1160.~~

2) Exceptions--A) The recommendations of the Uniform BOCA National Building Code (1993) shall apply insofar as such recommendations are not in conflict with the standards set forth in these requirements this Part or with the National Fire Protection Association code (NFPA) Standard No. 101 (1994), "Life Safety Code."

B)A) The portions of the Uniform BOCA National Building Code requiring: automatic extinguishing systems in all hospitals, smoke detectors in all patient rooms, and automatic door closers on all patient room doors are hereby specifically

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excluded from these requirements.

(2B) The Uniform BOCA National Building Code is intended as a model code for municipalities with no Building Code of their own.

(3C) NFPA Standard No. 101-M-1981 (1992), Edition-1ife-Safety Code-Appendix-E "Alternative Approaches to Life Safety," shall apply only if the Department determines that the proposed equivalent system is safe and does not constitute a hazard to the life and safety of the staff and patients.

(43) Availability-of-Codes- The codes and standards referenced in this Act Part can be ordered from the various agencies at the addresses listed in Section 250.160.

(Source: Amended 19 Ill. Reg. **13355**, effective **SEP 15 1995**)

Section 250.2450 Details

- a) Compartmentation, exits, automatic extinguishing systems and other details relating to fire prevention and fire protection shall comply with requirements listed in the appropriate sections of the NFPA National Fire Protection Association Standard 101 (1994), "Life Safety Code."
- b) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall be located so as not to restrict corridor traffic or reduce the corridor width below the required minimum.
- c) Doors

1) Doors to patient rooms shall not be lockable from inside the room.

2) Special Locking Arrangements: Electronic locking devices may be installed at specific locations to restrict egress or ingress for patient/staff safety or security provided each of the following is complied with and after receiving approval from the Department:

A) The facility must submit a narrative to the Department providing a rationale for having a locked door in a required means of egress. The rationale must relate to security issues.

B) The building must be protected by a sprinkler or fire detection system approved by the Department.

C) All locking system components must be U.L. listed.

D) Cross corridor, smoke or control doors that are located in a required means of egress may only be secured with electronic locks and automatic release devices. The use of manual keys or tools only to unlock the door is not permitted.

E) Locked doors must have continuous staff supervision (direct or electronic remote).

F) No other type of locking arrangement may be used in a

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required means of egress.

G) All locked doors must release automatically with actuation of the fire alarm system.

H) All doors must release automatically with loss of electrical power to the locking device.

I) All locks must initiate an irreversible process that will release the lock within 15 seconds whenever a force of not more than 15 pounds is continuously applied to the release device (lever type knob or handle or panic bar) for a period of not more than 3 seconds. Relocking of such doors shall be by manual means only. Operation of the release device activates activate a sign in the vicinity of the door to assure those attempting to exit that the system is functional. Delays of up to 30 seconds may be acceptable based on the program narrative.

J) Permanent signs must be posted on locked doors that state: "Push push until alarm sounds. Door will be opened in 15 seconds." Sign letters must be at least one inch high with 1/8 inch stroke. Signs may be omitted for security reasons based on review of the hospital's written rationale.

K) Emergency lighting must be provided at all locked door locations.

L) The local fire department must be fully apprised of locked doors or units and all related details of the system.

M) Any discharge exit door may be locked against entry.

N) Additional electronic release of locked doors initiated from a staff duty station is to be provided.

O) No more than one such device may be installed in any path of travel to exit discharge.

d) The minimum width of all doors to rooms needing access for beds or stretchers shall be 3'8". Doors to rooms needing access for wheelchairs shall have a minimum width of 2'10".

e) Doors on all openings between corridors and rooms or spaces subject to occupancy, except elevator doors, shall be swing type. Openings to showers, baths, patient toilets, and other small wet-type areas not subject to fire hazard are exempt from this requirement. Sliding doors with a break and swing feature are acceptable.

f) Doors, except those to spaces such as small closets which are not subject to occupancy, shall not swing into corridors in a manner that might obstruct traffic flow or reduce the required corridor width. (Large walk-in type closets are considered as occupiable spaces.)

g) Windows shall be designed so that persons cannot accidentally fall out of them when they are open, or shall be provided with guards.

h) Glazing

1) Doors, sidelights, borrowed lights, and windows in which the glazing extends down to within 18 inches of the floor (thereby creating possibility of accidental creackage by pedestrian traffic) shall be glazed with safety glass--type glass or

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plastic glazing material that will resist breaking and will not create dangerous cutting edges when broken. Similar materials shall be used in wall openings or recreation rooms and exercise rooms. Safety glass or plastic glazing materials shall be used for shower doors and bath enclosures. Fire-rated ~~wire~~ glass shall be used where required for fire safety.

2) Safety glass or plastic glazing materials as noted above shall be used in windows and doors in patient areas of psychiatric facilities, if required by the program. See the Safety Glazing Materials Act for other requirements.

1) Where labeled fire doors are required, these shall be certified by an independent testing laboratory as meeting the construction requirements equal to those for fire doors in NFPA Standard No. 80 (1990), "Fire Doors and Windows." Reference to a labeled door includes labeled frame and hardware.

j) Elevator shaft openings shall be class B 1 1/2 hour labeled fire doors.

k) Linen and refuse chutes shall meet or exceed the following requirements:

1) Service openings to chutes shall not be located in corridors or passageways but shall be located in a room of construction having a fire-resistance of not less than one hour. Doors to such rooms shall be not less than class C 3/4 hour labeled doors.

2) Service openings to chutes shall have approved self-closing class B 1 1/2 hour labeled fire doors.

3) Minimum cross-sectional dimension of gravity chutes shall be not less than 2'0".

4) Chutes shall discharge directly into collection rooms separated from incinerator, laundry, or other services. Separate collection rooms shall be provided for trash and for linen. The enclosure construction for such rooms shall have a fire-resistance rating of not less than two hours, and the doors thereto shall be not less than class B 1 1/2 hour labeled fire doors. External discharge containers need not be enclosed.

5) Gravity chutes shall extend through the roof with provisions for continuous ventilation as well as for fire and smoke ventilation. Openings for fire and smoke ventilation shall have an effective area of not less than that of the chute cross-section and shall be not less than 4'0" above the roof and not less than 6'0" clear of other vertical surfaces. Fire and smoke ventilating openings may be covered with single strength sheet glass or stronger.

6) See NFPA Standard No. 82 (1990), "Incinerators and Rubbish Handling," for other requirements.

7) Dumbwaiters, conveyors, and material handling systems shall not open directly into a corridor or exitway but shall open into a room enclosed by construction having a fire-resistance rating of not less than one hour and provided with class C 3/4 hour labeled fire doors. Service entrance doors to vertical shafts containing dumbwaiters,

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conveyors, and material handling systems shall be not less than class B 1 1/2 hour labeled fire doors. Where horizontal conveyors and material handling systems penetrate fire-rated walls or smoke partitions, such openings must be provided with class B 1 1/2 hour labeled fire doors for two hour walls and class C 3/4 hour labeled fire doors for one hour walls or partitions.

m) Thresholds and expansion joint covers shall be made flush with the floor surface to facilitate use of wheelchairs and carts.

n) Grab bars shall be provided at all patients' toilets, showers, tubs, and sitz baths. The bars shall have 1 1/2 inch clearance to walls and shall have sufficient strength and anchorage to sustain a concentrated load of 250 pounds.

o) Recessed soap dishes shall be provided at showers and bathtubs.

p) Location and arrangement of handwashing facilities shall permit their proper use and operation. Particular care should be given to the clearances required for blade-type operating handles.

q) Mirrors shall not be installed at handwashing fixtures in food preparation areas or in sensitive areas such as Nurseries, Clean and Sterile Supplies, and scrub sinks.

r) Paper towel dispensers and waste receptacles (or electric hand dryers) shall be provided at all handwashing facilities except scrub sinks.

s) Lavatories and handwashing facilities shall be securely anchored to withstand an applied vertical load of not less than 250 pounds on the front of the fixture.

t) Radiation protection requirements of X-ray and gamma ray installations shall conform with National Council on Radiation Protection and Measurements (NCRP), Report No. 49 34: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma Rays of Energies up to 10 MeV (1976) and NCRP Report No. 102: Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies Up to 50 MeV (Equipment Design, Performance and Use)(1989). Provision shall be made for testing the completed installation and all defects must be corrected before use.

u) Ceiling heights shall be as follows:

1) Boiler rooms shall have ceiling clearances not less than 2'6" above the main boiler header and connecting piping.

2) Radiographic, Operating and Delivery Rooms, and other rooms containing ceiling-mounted equipment or ceiling-mounted surgical light fixtures shall have height required to accommodate the equipment or fixtures.

3) All other rooms shall have not less than 8'0" ceilings except that corridors, storage rooms, toilet rooms, and other minor rooms shall be not less than 7'8". Suspended tracks, rails, and pipes located in the path of normal traffic shall be not less than 6'8" above the floor.

v) Recreation Rooms, Exercise Rooms, and similar spaces where impact noises may be generated shall not be located directly over patient bed areas, delivery or operating suites, unless special provisions are made to minimize such noise.

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- w) Rooms containing heat-producing equipment (such as Boiler or Heater Rooms and laundries) shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature of 10°F. (6°C.) above the ambient room temperature.
- x) Noise reduction criteria shown in the following table shall apply to partition, floor, and ceiling construction in patient areas. (See Section 250. Table B for sound transmission limitations in general hospitals.) (Not applicable to existing.)
- y) Elevators. All hospitals having patients' facilities (such as Bedrooms, Dining Rooms, or Recreation Areas) or critical services (such as Operating, Delivery, Diagnostic, or Therapy) located on other than the main entrance floor shall have electric or electrohydraulic elevators.
- 1) Number of Elevators:
- At least one hospital-type elevator shall be installed where 1 to 59 patient beds are located on any floor other than the main entrance floor.
 - At least two hospital-type elevators shall be installed where 60 to 200 patient beds are located on floors other than the main entrance floor, or where the major inpatient services are located on a floor other than those containing patient beds. (Elevator service may be reduced for those floors which provide only partial inpatient services.)
 - At least three hospital-type elevators shall be installed where 201 to 350 patient beds are located on floors other than the main entrance floor, or where the major inpatient services are located on a floor other than those containing patient beds. (Elevator service may be reduced for those floors which provide only partial inpatient services.)
 - For hospitals with more than 350 beds, the number of elevators shall be determined from a study of the hospital plan and the estimated vertical transportation requirements.
- 2) Cars and Platforms. Cars of hospital-type elevators shall have dimensions that will accommodate a patient bed and attendants and shall be at least 5'8" x 7'6" 5'-0" by 7'-6". The car door shall have a clear opening of not less than 3'8".
- 3) Leveling. Elevators shall be equipped with an automatic leveling device of the two-way automatic maintaining type with an accuracy of +1/2 inch.
- 4) Operation. Elevators, except freight elevators, shall be equipped with a two-way special service key operated switch to permit cars to bypass all landing button calls and be dispatched directly to any floor.
- 5) Elevator controls, alarm buttons, and telephones shall be accessible to physically handicapped.
- 6) Elevator call buttons, controls, and door safety stops shall be of a type that will not be activated by heat or smoke.
- 7) Inspections and tests shall be made and written certification

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- shall be furnished that the installation meets the requirements set forth in this Section and all applicable safety regulations and codes.
- z) Provisions for Natural Disasters
- 1) General Requirements. An emergency radio communication system is desirable in each facility. If installed, this system shall be self-sufficient in time of emergency and shall also be linked with the available community system and state emergency medical network system, including connections with police, fire, and civil defense system.
 - 2) Earthquakes. In regions where local experience shows that earthquakes have caused loss of life or extensive property damage, buildings and structures shall be designed to withstand the force assumptions specified in the ~~1989-Uniform~~ **BOCA National Building Code**. Seismic zones are identified on the map on shown in Section 250. Illustration A.
 - 3) ~~Hurricanes~~ **Hurricanes** Tornadoes and Floods. Special provisions shall be made in the design of buildings in regions where local experience shows loss of life or damage to buildings resulting from ~~hurricanes~~ **hurricanes** tornadoes or floods.

(Source: Amended 19 Ill. Reg. **13355**, effective **SEP 15 1995**)

Section 250.2460 Finishes

- Cubicle and window curtains and draperies shall be noncombustible or rendered flame retardant and shall pass both the large and small scale tests of **NFPA National Fire Protection Association Standard No. 701 (1989)**, "Fire Tests for Flame-Resistant Textiles and Films."
- Flame spread and smoke developed ratings of finishes shall be in accordance with **NFPA Standard No. 101- (1994)**, "Life Safety Code."
- Floors in areas and rooms in which flammable anesthetic agents are stored or administered to patients shall comply with **NFPA Standard 56A---Anhalation-Anesthetics- No. 99 (1993)**, "Health Care Facilities Code." Conductive flooring may be omitted from emergency treatment, operating, and delivery rooms provided that a written resolution is signed by the hospital board stating that no flammable anesthetic agents will be used in these areas and provided that appropriate notices are permanently and conspicuously affixed to the wall in each such area and room.
- Floor materials shall be easily cleanable and have wear resistance appropriate for the location involved. Floors in areas used for food preparation or food assembly shall be water-resistant and grease-proof. Joints in tile and similar material in such areas shall be resistant to food acids. Floors in toilets, baths, janitor's closets and similar areas shall be water resistant. In all areas frequently subject to wet cleaning methods, floor materials shall not

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be physically affected by germicidal and cleaning solutions.

e) Wall bases in kitchens, operating and delivery rooms, soiled workrooms, and other areas which are frequently subject to wet cleaning methods shall be made integral and covered with the floor, tightly sealed to the wall, and constructed without surface voids that can harbor vermin.

f) All wall finishes shall be washable and, in the immediate area of plumbing fixtures, shall be smooth and moisture resistant. Walls in surgery, delivery, kitchens and in other spaces subject to frequent cleaning shall be of suitable materials.

g) Floor and wall penetrations by pipes, ducts, and conduits shall be tightly sealed to minimize entry of vermin, smoke and fire. Joints of structural elements shall be similarly sealed.

h) Ceilings shall be cleanable and those in sensitive areas such as surgical, delivery, and nursery rooms shall be readily washable and without crevices that can retain dirt particles. These sensitive areas along with the dietary and food preparation areas shall have a finished ceiling covering all overhead duct work and piping. Finished ceilings may be omitted in mechanical and equipment spaces, shops, general storage areas, and similar spaces, unless required for fire-resistive purposes.

i) The following areas shall have acoustical ceilings:

- 1) Corridors in Patient Areas,
- 2) Nurses' Stations,
- 3) Labor Rooms,
- 4) Day Rooms,
- 5) Recreation Rooms,
- 6) Dining Areas,
- 7) Waiting Areas.

(Source: Amended 19 Ill. Reg. 1335, effective SEP 15 1995)

Section 250.2470 Structural

a) ~~Codes~~In addition to compliance with the Standards set forth in this subpart Subpart, all applicable local or State building codes and regulations must be observed.

b) ~~Design~~~~data~~~~General~~The buildings and all parts thereof shall be of sufficient strength to support all dead, live, and lateral loads without exceeding the working stresses permitted for the materials of their construction in generally accepted good engineering practice.

2) ~~Spectator~~

A) Special provision shall be made for machines or apparatus loads which would cause a greater load than the specified minimum live load.

B) Consideration shall be given to structural members and connections of structures which may be subject to earthquakes, hurricanes, or tornadoes. (See Section 250.2450(2).) Floor areas where partition

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locations are subject to change shall be designed to support for the partition, a uniformly distributed load of 25 p.s.f.

e) Construction. Construction shall be in accordance with the requirements of NFPA National Fire Protection Association Standard No. 101 (1994), "Life Safety Code," and the minimum requirements contained herein.

1) Foundations shall rest on natural solid ground and shall be carried to a depth of not less than one foot below the estimated frost line or shall rest on leveled rock or load-bearing piles or caissons when solid ground is not encountered. Footings, piers, and foundation walls shall be adequately protected against deterioration from the action of ground water. Test borings shall be taken to establish proper soil-bearing values for the soil at the building site.

2) Assumed live loads shall be in accordance with the Uniform BOCA National Building Code.

3) All hospitals ~~of any~~ over one story in height shall be of fire resistive construction. The fire resistance rating of the structural members shall be as established by NFPA 220 (1992), "Standard Types of Building Construction," for three-hour--fire resistive Type I (332) construction.

4) Any additions to existing hospitals that are one story in height and of protected non-combustible construction may be constructed of protected non-combustible construction. The resistance rating of the structural members shall be as established by NFPA Standard No. 220 (1992), "Standard Types of Building Construction" for Type II (222).

4) ~~Interior--finish--fire--spread--ratings--shall--be--in--accordance--with--the--National--Fire--Protection--Association--NFPA--Standard--No.--101--(1994)--"Life--Safety--Code"--101--Standards--for--Fire--Spread--and--Smoke--Emission--Ratings--~~

(Source: ~~SEP 15 1995~~ 19 Ill. Reg. 1335, effective SEP 15 1995)

Section 250.2480 Mechanical

a) General

1) Mechanical systems shall be tested, balanced, and operated to demonstrate that the installation and performance of these systems conform to the requirements of the plans and specifications.

2) Upon completion of the contract, the owner shall obtain a complete set of manufacturers' installation, operating, maintenance and preventive maintenance instructions, and parts list with numbers and description for each piece of equipment. The owner shall also obtain instruction in the operational use of the systems and equipment as required.

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- b) Thermal and Acoustical Insulation
- 1) Insulation shall be provided for the following which are located within the building:
 - A) Boilers, smoke breaching, and stacks.
 - B) Steam supply and condensate return piping.
 - C) Hot water piping above 120° F and all hot water heaters, generators, and converters. Exposed hot water supplies to fixtures need not be insulated except where exposed to contact by the physically handicapped.
 - D) Chilled water, refrigerant, other process piping and equipment operating with fluid temperatures below ambient dew point.
 - E) Water supply, storm and drainage piping on which condensation may occur.
 - F) Air ducts and casings with outside surface temperature below ambient dew point.
 - G) Other piping, ducts, and equipment as necessary to maintain the efficiency of the system.
 - 2) Insulation on cold surfaces shall include an exterior vapor barrier.
 - 3) Insulation, including finishes and adhesives on exterior surfaces of ducts and equipment, shall have a flame spread rating of 25 or less and a smoke developed rating of 50 or less as determined by an independent testing laboratory in accordance with NFPA-Standard No. 255 (1999), "Standard Method of Test of Surface Burning Characteristics of Building Material."
 - A) Pipe insulation shall have a flame spread rating of 25 or less and a smoke developed rating of 150 or less.
 - B) All construction exposed to air flow in air distribution plenums shall have a flame spread rating of 25 or less and a smoke developed rating of 50 or less.
 - 4) No duct linings shall be permitted downstream of the 90° filters serving areas requiring 90° filtration.
 - c) Steam and Hot Water Systems
 - 1) ~~Boilers~~-Boilers shall have the capacity to supply the normal requirements of all systems and equipment. The number and arrangement of boilers shall be such that when one boiler breaks down or is temporarily taken out of service, the capacity of the remaining boiler(s) shall be sufficient to provide hot water service for clinical, dietary and patient use; steam for sterilization and dietary purposes; heating for surgery, delivery, labor, recovery, intensive care, nursery, and general patient rooms.
 - 2) ~~Boiler~~-~~Accessories~~-Boiler feed pumps, heating circulating pumps, condensate return pumps and fuel oil pumps shall be connected and installed to provide normal and standby service.
 - 3) ~~Valves~~-Supply and return mains and risers of cooling, heating and process steam systems shall be valved to isolate the various

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- sections of each system. Each piece of equipment shall be valved at supply and return ends.
- 4) ~~Humidifiers~~-Humidifiers used in conjunction with air handling systems shall be of the direct steam injection type.
 - d) Air Conditioning, Heating and Ventilating Systems
 - 1) It is the intent of these regulations to provide a comfortable, clean, controlled environment for the hospital by employing the most economical and energy efficient systems consistent with these minimum requirements.
- A) The minimum requirements as set forth in these regulations in no way relieve the designer from providing system capacities and components as required to maintain control of air quality, odor, ventilation rates, space temperatures and space humidity as set forth in these regulations.
- B) The design of air conditioning, heating and ventilation systems shall be based on no less than the recommended outdoor design conditions listed in the ~~Fundamentals--Volume of--the~~ ASHRAE Handbook of Fundamentals (1981) for 99% occurrence (Winter) and 1% occurrence (Summer).
- 2) Ventilation Systems:
 - A) Air handling systems shall conform to NFPA Standard No. 90A (1989), "Installation of Air Conditioning and Ventilating Systems." ~~NFPA-90A-1981-~~
 - B) Fire dampers, smoke dampers and smoke control systems shall be constructed, located and installed in accordance with the requirements of NFPA Standard No. 90A (1989). ~~At the~~ Conditioning-Systems- "Installation of Air Conditioning and Ventilating Systems."
 - C) Ducts which penetrate construction intended for x-ray or other ray protection shall be protected to preserve the effectiveness of the protection.
 - D) Outdoor air intakes shall be located at least 15 feet from exhaust outlets of ventilation systems, combustion equipment stacks, medical/surgical vacuum systems, plumbing vents or from areas which may collect vehicular exhaust or other noxious fumes unless other provisions are made to minimize recirculation of exhaust into outdoor air intakes. Plumbing and vacuum vents that terminate above the level of the top of the air intake may be located as close as ten feet. The bottom of outdoor air intakes serving central systems shall be located as high as practical but at least six feet above ground level, or if installed above the roof, three feet above the roof level.
 - E) Exhaust outlets from areas that may be contaminated by dangerous or noxious dust, fumes, mists, gases, odors, infectious material or other contaminants harmful to people shall be above the roof level. The discharge to the atmosphere shall be located as far as possible but not less

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than 25 feet from any operable window, door, and/or outdoor intake for a fan which discharges air to an occupied space.

F) The ventilation systems shall be designed and balanced to provide the ventilation and pressure relationships hereinafter specified.

G) If the ventilation rates required (as hereinafter specified) do not provide sufficient make-up air for use by hoods, safety cabinets, and exhaust fans, the additional make-up air shall be provided to maintain required pressure balance.

H) An all outdoor air system may be used where required by local codes, provided that some form of air to air or air to water heat recovery system will be included to reclaim the energy otherwise discharged with the air exhausted to the outside.

I) ~~Recirculating Systems--Patient--Care--Areas~~To provide maximum energy conservation, air supplied to ~~these areas~~ patient care areas not required as make-up air for 100% exhaust systems shall be recirculated. Any air within the hospital which is circulated between patient rooms, or patient rooms and other areas of the hospital, shall pass through filters having an efficiency of 90% (see subsection (d)(3) on filters below).

J) ~~Recirculating Systems--Housekeeping, Administrative--Areas and other non-sensitive areas~~To provide maximum energy conservation, air supplied to ~~these areas~~ housekeeping, administration and other nonsensitive areas not required as make-up air for 100% exhaust systems shall be recirculated. These areas require filters having a minimum efficiency of 30% on the inlet side of the Air Handling Unit.

K) When a central system serves areas with different filtration requirements, the most stringent filtration requirement will be provided for the complete system.

L) All outside air supplied to patient care areas shall pass through 90% filters (see subsection (d)(3) on filters below).

M) Minimum air circulation requirements indicated hereinafter are applicable to occupied spaces. During unoccupied periods, minimum air circulation may be provided as required to maintain space design temperature conditions.

N) Where fan coil or terminal room unit systems are provided in areas to be occupied by patients, through the wall outside air ventilation is not acceptable. A separate central ventilation system, with final filters having a minimum efficiency of 90%, shall supply the required outdoor air ventilation.

3) Filters

A) All central ventilation or air conditioning systems shall be

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equipped with filters having efficiencies no less than those specified in the area requirements.

B) Where two filter beds are required, filter bed No. 1 shall be located upstream of the conditioning equipment and filter bed No. 2 shall be located downstream of the supply fan and conditioning equipment.

C) Where only one filter bed is required, it shall be located upstream of the air conditioning equipment.

D) All filter efficiencies shall be average atmospheric dust spot efficiencies tested in accordance with ASHRAE Standard 52-76: Handbook of Fundamentals (1981).

E) Filter frames shall be durable and shall provide an airtight fit with the enclosing duct work. All joints between or sealed segments and enclosing duct work shall be gasketed or sealed to provide a positive seal against air leakage.

F) A local indicating device shall be installed across each filter bed serving central air systems to measure the static pressure drop across the bed.

e) Area Requirements: These requirements are listed in outline format.

1) Administration, Public Area, Medical Records, and Housekeeping Offices.

A) Filters:

i) Central ventilation ~~ventilations~~ systems shall be provided with prefilters having a minimum efficiency of..... 30%

ii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of..... 10%

B) Space Design Conditions:

i) Temperature, dry bulb..... 75° F

ii) Relative Humidity, winter, minimum..... 30%

iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:

i) Total air supplied to each space shall be as required to maintain space design conditions.

ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:

Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral

Recirculation of air within room permitted..... yes

2) Laboratories

A) Filters:

i) Central ventilation ~~ventilations~~ systems shall be provided with prefilters having a minimum efficiency of..... 30% and final filters having a minimum efficiency of. 90%

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- ii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 30%
- B) Space Design Conditions:
- i) Temperature, dry bulb..... 75° F
- ii) Relative Humidity, winter, minimum..... 30%
- iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- D) Space Pressurization:
- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... negative
- E) Recirculation of air within room permitted except in areas, as listed below, where all air must be exhausted directly to the outdoors..... yes
- F) Air from the following areas shall be exhausted directly to the outdoors:
- i) All fume hoods
- ii) Histology
- iii) Bacteriology
- iv) Glass Washing Areas
- G) All air exhausted from fume hoods shall be made up with outside air.
- H) Laboratory hoods shall meet the following general requirements:
- i) have an average face velocity of not less than 75 feet per minute.
- ii) be connected to an exhaust system which is separate from the building exhaust system.
- iii) have an exhaust duct system of noncombustible corrosion-resistant material consistent with the usage of the hood.
- iv) have an exhaust fan located at the discharge end of the duct system unless provided with welded stainless steel duct from fan outlet to termination.
- I) Laboratory hoods shall meet the following special requirements:
- i) Each hood which processes infectious or radioactive materials shall have a minimum face velocity of 100 feet per minute, shall be connected to an independent exhaust system, shall be provided with filters with 99.97 percent efficiency (based on the DOP, diethylphthalate, test method as described in DOP Penetration Test Method MIL STD No. 282 (1976): Filter

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- Filter Units, Protective Clothing, Gas-Mask Components and Related Products: Performance Test Methods, (1976) in the exhaust system, and shall be designed and equipped to permit the safe removal, disposal and replacement of contaminated filters.
- ii) Duct systems serving hoods in which radioactive and/or strong oxidizing agents such as perchloric or nitric acid are used shall be constructed of stainless steel and shall be equipped with wash down facilities.
- 3) Morgue and Autopsy Suite
- A) Filters:
- i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
- ii) and final filters having a minimum efficiency of. 90%
- B) Space Design Conditions:
- i) Temperature, dry bulb..... 75° F
- ii) Relative Humidity, winter, minimum..... 30%
- iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- D) Space Pressurization:
- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... negative
- E) Recirculation of air within room permitted..... no
- F) Air from the following areas shall be exhausted directly to the outdoors:
- i) Autopsy
- ii) Non-refrigerated body holding rooms
- 4) Radiology Suite; X-Ray Diagnostic, Fluoroscopy, and Special Procedures
- A) Filters:
- i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
- ii) and final filters having a minimum efficiency of. 90%
- iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 30%
- iiii) The exhaust from isotope storage shall be provided with filters with 99.97% efficiency (based on the DOP, diethylphthalate, test method as described in DOP Penetration Test Method MIL STD No. 282 (1976): Filter

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provided with filters having a minimum efficiency of 30%
..... 30%

B) Space Design Conditions:
i) Temperature, dry bulb..... 75F
ii) Relative Humidity, winter, minimum..... 30%
iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:
i) Total air supplied to each space shall be as required to maintain space design conditions.
ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:
Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... negative
E) Recirculation of air within room permitted..... Yes
Occupational Therapy Suite

A) Filters:
i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
ii) and final filters having a minimum efficiency of. 90%
iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 30%
..... 30%

B) Space Design Conditions:
i) Temperature, dry bulb..... 75F
ii) Relative Humidity, winter, minimum..... 30%
iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:
i) Total air supplied to each space shall be as required to maintain space design conditions.
ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:
Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
E) Recirculation of air within room permitted..... yes
Nursing Units (including units such as medical, surgical, intensive care, pediatric, psychiatric, obstetric)

8) A) Filters:
i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
ii) and final filters having a minimum efficiency of. 90%
iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of

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and Related Products: Performance Test Methods-1976).

B) Space Design Conditions:
i) Temperature, dry bulb..... 75° F
ii) Relative Humidity, winter, minimum..... 30%
iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:
i) Total air supplied to each space shall be as required to maintain space design conditions.
ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:
Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
E) Recirculation of air within room permitted..... Yes
F) Air from the following areas shall be exhausted directly to the outdoors:
Nuclear medicine and isotope storage.

5) Pharmacy Suite

A) Filters:
i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
ii) and final filters having a minimum efficiency of. 90%
iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 30%
..... 30%

B) Space Design Conditions:
i) Temperature, dry bulb..... 75F
ii) Relative Humidity, winter, minimum..... 30%
iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:
i) Total air supplied to each space shall be as required to maintain space design conditions.
ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:
Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
E) Recirculation of air within room permitted..... yes

6) Physical Therapy Suite and Hydrotherapy

A) Filters:
i) Central ventilation ventilations systems shall be provided with prefilters having a minimum efficiency of..... 30%
ii) and final filters having a minimum efficiency of. 90%
iii) Units which recirculate air within a room shall be

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- 10%
- B) Space Design Conditions: 10%
- i) Temperature, dry bulb..... 75F
- ii) Relative Humidity, winter, minimum..... 30%
- iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation (Patient Rooms):
- i) Total air supplied, cfm per bed..... 15
- ii) Outdoor air supplied, cfm per bed..... 10
- D) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- E) Space Pressurization:
- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
- F) Recirculation of air within room permitted..... yes
- G) Isolation Rooms: These rooms may be used two ways: to protect the patient from the hospital environment or to protect the hospital environment from the patient. Isolation rooms shall have the same conditions as other patient rooms, except the air flow shall be capable of being either into the room or out of the room. When the hospital is being protected (communicable disease), all air shall be exhausted directly to the outdoors.
- 9) Newborn Care Unit
- A) Filters:
- i) Central ventilation **ventilations** systems shall be provided with prefilters having a minimum efficiency of..... 30%
- ii) and final filters having a minimum efficiency of. 90%
- iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of..... 30%
- B) Space Design Conditions:
- i) Temperature, dry bulb..... 75F
- ii) Relative Humidity, winter, minimum..... 30%
- iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation (Patient Rooms):
- i) Total air supplied, cfm per bed..... 15
- ii) Outdoor air supplied, cfm per bed..... 10
- D) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- E) Space Pressurization:

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- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
- F) Recirculation of air within room permitted..... yes
- 10) Surgical Suite-Operating Rooms
- A) Filters:
- i) Central ventilation **ventilations** systems shall be provided with prefilters having a minimum efficiency of..... 30%
- ii) and final filters having a minimum efficiency of. 90%
- iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of..... 30%
- B) Space Design Conditions:
- i) Temperature, dry bulb (adj. range)..... 70° F - 76° F
- ii) Relative Humidity, winter, minimum..... 40%
- iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied, air changes per hour..... 15
- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- D) Space Pressurization:
- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... positive
- E) Recirculation of air within room permitted..... yes
- F) Minimum requirements for all other spaces within the surgical suite shall be the same as required for Nursing Units.
- G) The minimum circulation rate for operating rooms shall be based on lowest 9 feet of room height. Air quantity shall be increased as required to meet greater loads and still maintain the desired space conditions.
- H) All operating rooms shall have scavenger systems for removing spent anesthetic gases as per NFPA 56#1989-Standard No. 99 (1993), "Health Care Facilities Code."
- I) Operating rooms' air supply shall be from ceiling outlets near the center of the work area to effectively control air movement. Return air shall be not less than 3 inches nor more than 12 inches from the floor. Each operating room shall have at least two return air inlets located as remotely from each other as practical.
- 11) Obstetrics Suite
- A) Filters:
- i) Central ventilation **ventilations** systems shall be provided with prefilters having a minimum efficiency of..... 30%
- ii) and final filters having a minimum efficiency of. 90%

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- iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 30%
- B) Space Design Conditions:
- i) Temperature, dry bulb (adj. range)..... 70° F - 76° F
 - ii) Relative Humidity, winter, minimum..... 30%
 - iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
 - ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

- iii) Space Pressurization:
- iv) Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral
- D) Recirculation of air within room permitted..... yes
- E) Delivery rooms' air supply shall be from ceiling outlets near the center of the work area to effectively control air movement. Return air shall be not less than 3 inches nor more than 12 inches from the floor. Each delivery room shall have at least two return air inlets located as remotely from each other as practical.
- F) Where anesthetic gases are used, scavenger system for removing spent anesthetics gases as per NPSA Standard No. 564-1988 99 (1993), "Health Care Facilities Code," shall be provided.

- G) Where caesarean ~~cesarean~~ section is performed, the delivery room HVAC requirements shall be as per operating rooms.

12) Emergency Suite

- A) Filters:
- i) Central ~~ventilations~~ ventilation systems shall be provided with prefilters having a minimum efficiency of..... 30%
 - ii) and final filters having a minimum efficiency of. 90%
 - iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 10%
- B) Space Design Conditions:
- i) Temperature, dry bulb..... 75° F
 - ii) Relative Humidity, winter, minimum..... 30%
 - iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
 - ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- D) Space Pressurization:

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Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral

E) Recirculation of air within room permitted..... yes

13) Outpatient Suite

- A) Filters:
- i) Central ~~ventilations~~ ventilation systems shall be provided with prefilters having a minimum efficiency of..... 30%
 - ii) and final filters having a minimum efficiency of. 90%
 - iii) Units which recirculate air within a room shall be provided with filters having a minimum efficiency of 10%
- B) Space Design Conditions:
- i) Temperature, dry bulb..... 75° F
 - ii) Relative Humidity, winter, minimum..... 30%
 - iii) Relative Humidity, summer, maximum..... 60%
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
 - ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

D) Space Pressurization:

Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... neutral

14) Food Preparation Area

- A) Filters:
- i) Central ~~ventilations~~ ventilation systems shall be provided with prefilters having a minimum efficiency of..... 30%
 - ii) and final filters having a minimum efficiency of. 90%
- B) Space Design Conditions:
- Temperature, dry bulb..... 75° F
- C) Air Circulation:
- i) Total air supplied to each space shall be as required to maintain space design conditions.
 - ii) Outdoor air supplied shall be no less than 20% of the total air supplied.
- D) Space Pressurization:
- Ventilation system shall be designed and balanced so that space pressure, in relation to surrounding areas of the building, is..... negative
- E) Recirculation of air within room permitted..... no
- F) Minimum requirements for adjacent dining areas shall be the same as required for Public Areas.
- G) If direct make-up needs (short cycle) are used, all outside

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air to hood shall be filtered by 30% minimum efficiency filters and not cause cold cooking surfaces, condensation problems, or grease build-up due to cold temperature.

- H) Kitchen air exhausted from the space through hoods must be made up with outside air. Air shall flow into the kitchen to prevent cooking odors from migrating throughout the hospital. Recirculation of air is permissible, if a central system is used, and serves only the kitchen, cafeteria, and ware washing area.

- I) When there is a dishwasher being used, it shall have a separate exhaust that is interlocked with the dishwasher to operate only when the dishwasher operates.

- J) Air supply quantity must equal or exceed air exhaust quantity or meet the loads encountered, whichever is greater.

- K) During the unoccupied cycle, kitchen temperature shall be maintained at 75° F plus or minus 10° F.

- L) The hood and duct system for cooking equipment used in processes producing smoke or grease-laden vapors shall be in conformance with NFPA Standard No. 96-1990 (1991), "Vapor Removal Cooking Equipment." That portion of the fire extinguishment system required for protection of the duct system may be omitted when all cooking equipment is served by U.L. listed grease extractors.

- i) Other exhaust hoods in food preparation centers shall have an exhaust rate of not less than 50 CFM per square foot of face area. The face area is the open area from exposed perimeter of hood to the open perimeter of the cooking surface.

- ii) Cleanout openings shall be provided at each change in direction and in horizontal sections no more than 20 feet apart in the duct system serving kitchen and food preparation areas.

15) Central Sterile Supply

- A) Filters:

- i) Central ~~ventilations~~ ventilation systems shall be provided with prefilters having a minimum efficiency of..... 30%

- ii) and final filters having a minimum efficiency of. 90%

B) Space Design Conditions:

- i) Temperature, dry bulb (adj. range)..... 75° F

- ii) Relative Humidity, winter, minimum..... 30%

- iii) Relative Humidity, summer, maximum..... 60%

C) Air Circulation:

- i) Total air supplied to each space shall be as required to maintain space design conditions.

- ii) Outdoor air supplied shall be no less than 20% of the total air supplied.

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- D) Air flow shall be from the clean area toward soiled or decontamination area.

E) Sterilization Room:

- i) Where only steam autoclaves are installed, the air exhausted from the sterilizer area for heat control may be recirculated through a central system which is provided with filters having a minimum efficiency of 30%.

- ii) Where ethylene oxide sterilizers are used, all air contaminated with ethylene oxide above 1 PPM must be exhausted directly outdoors. No air shall be recirculated that has more than 1 PPM of ethylene oxide present.

16) Linen Services: Laundry

- A) Filters:

- i) Central ~~ventilations~~ ventilation systems shall be provided with prefilters having a minimum efficiency of..... 30%

- ii) and final filters having a minimum efficiency of. 80%

B) Space Design Conditions:

- Temperature, dry bulb (winter)..... 70° F

- C) All air from the soiled storage and sorting area shall be exhausted directly to outdoors.

- D) Air flow shall be from the clean area to the soiled area. Air from the clean area may be used to make up air exhausted from the soiled area.

- E) Air from the clean area may be recirculated within the laundry complex, but shall pass through a lint screen or trap before returning to the air handling unit.

- F) The entire laundry ventilation system shall be controlled so that air flow is into the laundry from the hospitals.

- G) Circulation and ventilation rates may be variable, but sufficient outside air must be supplied to make up for exhaust. Minimum circulation of unconditioned air at summer design conditions shall be 2 CFM-ft² or 12 air changes per hour, whichever is larger.

17) Miscellaneous Supporting Areas

- A) Space temperatures shall be maintained for occupant comfort.

- B) Ventilation system shall be designed and balanced so that air flows into these spaces from adjacent areas.

C) Anesthesia Storage Rooms:

- i) All air shall be exhausted directly to the outdoors.

- ii) Minimum exhaust ventilation rates shall be six (6) air changes per hour.

- iii) The ventilation system shall conform to the requirements of NFPA-56A--~~ventilation~~ ~~Anesthesia~~ Standard No. 99 (1993), "Health Care Facilities Code," including the option to provide a gravity

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- (non-mechanical) ventilation system.
- iv) Supply air make-up for exhaust requirements may be provided from a mechanical ventilation system or by transfer from adjacent areas.
- D) Soiled Holding and Work Rooms:
- All air shall be exhausted directly to the outdoors.
 - Minimum exhaust ventilation rates shall be ten (10) air changes per hour.
 - Supply air make-up for exhaust requirements may be provided from a mechanical ventilation system or by transfer from adjacent areas.
- E) Toilet Rooms and Bathrooms:
- Exhaust air may be recirculated through a central ventilation system that is provided with final filters having a minimum efficiency of 90%. Otherwise, all air shall be exhausted directly to the outdoors.
 - Minimum exhaust ventilation rate shall be 1.5 cfm per square foot of floor area, but no less than 50 cfm.
 - Supply air make-up for exhaust requirements may be provided from a mechanical ventilation system or by transfer from adjacent areas.
- F) Janitor Closets, Linen and Trash Chute Rooms:
- All air shall be exhausted directly to the outdoors.
 - Minimum exhaust ventilation rate shall be 1.5 cfm per square foot of floor area, but no less than 50 cfm.
 - Supply air make-up for exhaust requirements may be provided from a mechanical ventilation system or by transfer from adjacent areas.
- G) Boiler rooms shall be provided with sufficient outdoor air to maintain combustion rates of equipment and limit temperatures in working stations to 97° F effective temperature (97° F and 50% relative humidity or its equivalent) as defined by ASHRAE Handbook of Fundamentals (1981).
- H) Rooms containing heat-producing equipment, such as boiler rooms, heater rooms, food preparation centers, laundries, sterilizer or mechanical equipment rooms, shall be insulated and ventilated to prevent any floor surface above from exceeding a temperature of 100° F.

(Source: **SEP 13 1995** 19 Ill. Reg. **13355**, effective

Section 250.2490 Plumbing and Other Piping Systems

- a) General
- All plumbing systems shall be designed and installed in accordance with the requirements of the Illinois State Plumbing Code except that

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- the number of waterclosets, urinals, lavatories, bathtubs, showers, drinking fountains and other fixtures shall be as required by **these Requirements** this Part and the hospital programs.
- b) Plumbing Fixtures
- Plumbing fixtures shall be of nonabsorptive acid-resistant materials.
 - The water supply spout for lavatories and sinks required for filling pitchers, for medical and nursing staff and food handlers handwashing, shall be mounted so that its discharge point is a minimum perpendicular distance of 5 inches above the rim of the fixture.
 - Handwashing lavatories used by medical and nursing staff and food handlers shall be trimmed with valves which can be operated without the use of hands where specifically required in previous sections.
 - When blade handles are used for this purpose the blade handles shall not exceed 4 1/2 inches in length, except the handles on clinical sinks shall not be less than 6 inches in length.
 - The handwashing and/or scrub sinks, for Operating, Emergency Treatment, Nursery, and Delivery rooms shall be trimmed with valves which are acceptably operated (i.e., knee or foot controls) without the use of hands. Wrist blades are not acceptable.
 - Clinical rim flush sinks shall have an integral trap in which the upper portion of a visible trap seal provides a water surface.
 - Shower bases and tubs shall be provided with nonslip surfaces **for standing-patients.**
 - Water Supply Systems
 - Systems shall be designed to supply water at sufficient pressure to operate all fixtures and equipment during maximum demand periods.
 - Each water service main, branch main, riser and branch to a group of fixtures shall be valved. Stop valves shall be provided at each fixture.
 - Flush valves installed on plumbing fixtures shall be of a quiet operating type, equipped with silencers.
 - Bedpan flushing devices shall be provided on each patient toilet unless a clinical service sink is centrally located in each nursing unit. This requirement does not apply to psychiatric units.
 - Water distribution systems shall be arranged to provide hot water at each hot water outlet at all times. Hot water at shower, bathing, and handwashing facilities shall not exceed 110° F (43° C). If the program requires, in psychiatric units, plumbing fixtures which require hot water and are accessible to patients shall be supplied with hot water not to exceed 100° F (38° C).
 - Hot Water Heaters and Tanks.

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- 1) The hot water heating equipment shall have sufficient capacity to supply water at the temperatures and quantities in the following areas:

	Clinical	Dietary	Laundry
gallons/hour/bed	6 1/2	4	4 1/2
liters/second/bed	.007	.004	.005
temperature ° F	100	180	180
temperature ° C	43	82	82

Water temperatures to be taken at hot water point of use or inlet to processing equipment.

- 2) Storage tanks shall be fabricated of corrosion-resistant metal or lined with non-corrosive material.

e) Drainage Systems

- 1) Drain lines from sinks in which acid wastes may be poured shall be fabricated from acid-resistant material.
- 2) Insofar as possible, drain piping shall not be installed over operating and delivery rooms, nurseries, food preparation serving and storage areas and similar critical areas. Special precautions shall be taken to protect these areas from possible leakage or condensation from such overhead piping systems.
- 3) Floor drains shall not be installed in operating rooms. Flushing rim type drains may be installed in Cystoscopic Operating Rooms.
- 4) Building sewers shall discharge into a public sewerage system.
- 5) Where public sewerage system is not available, plans for any private sewage disposal system shall be submitted to the Environmental Protection Agency of Illinois for review for approval before hospital construction is started.

- f) Nonflammable medical gas systems shall be installed in accordance with ~~NFPA-56A---Inhalation--Anesthetics--and--56P--Nonflammable--Medical Gases~~ NFPA Standard No. 99 (1993), "Health Care Facilities Code."

- g) Clinical vacuum (suction) systems shall be installed in accordance with Compressed Gas Association Pamphlet P-2.1 (1970), "Standard for Medical-Surgical Vacuum Systems in Hospitals."

- h) Medical compressed air systems shall be installed in accordance with Compressed Gas Association Pamphlet P-2.1.

- i) Oxygen, vacuum and medical compressed air shall be piped to the locations indicated in Section 205, Table E with the required station outlets.

- j) Service outlets for central housekeeping vacuum systems, if used, shall not be located within operating rooms.

k) Fire Extinguishing Systems

- 1) All fire extinguishing systems shall be designed, installed and maintained in accordance with ~~NFPA-101--Life--Safety--Code~~ NFPA-101--Life--Safety--Code
- ~~NFPA-13--Sprinkler--Systems--and--NFPA-13A--Sprinkler--Systems Maintenance~~ NFPA Standard No. 101 (1994), "Life Safety Code,"

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NFPA Standard No. 13 (1994), "Sprinkler Systems," and NFPA Standard No. 13A (1987), "Sprinkler System Maintenance."

- 2) Class III, Type 1 inside standpipe system shall be provided in all buildings more than four (4) stories or fifty-five (55) feet in height. Such standpipe systems shall conform to the requirements of ~~NFPA-14--Standpipe--and--Hose--Systems~~ NFPA Standard No. 14 (1980), "Standpipe and Hose Systems."

(Source: Amended ~~SEP 15 1995~~ 19 Ill. Reg. **13355**, effective)

Section 250.2500 Electrical Requirements

a) General

- 1) All materials including equipment, conductors, controls, and signaling devices shall be installed in compliance with applicable sections of the ~~National--Electrical--Code~~ NFPA Standard No. 70 (1993), "National Electric Code," including Article 517, and as necessary to provide a complete electrical system.

- 2) All electrical installations, including alarm, nurses' call and communication systems, shall be tested to demonstrate that the equipment installation and operation conforms to these requirements.

b) Switchboards and Power Panels

These items shall comply with NFPA Standard No. 70 (1993), "National Electrical Code," (1994). The main switchboard shall be located in an area separate from plumbing and mechanical equipment and be accessible only to authorized persons.

- c) Panelboards. Panelboards serving lighting and appliance circuits shall be located on the same floor as the circuits they serve. This requirement does not apply to the life safety system.

- d) Lighting.
 - 1) All spaces occupied by people, machinery, and equipment within buildings, approaches to and through exits from buildings, and parking lots shall have lighting.

- 2) Patients' rooms shall be equipped with general lighting and night lighting. A reading light shall be provided for each patient. At least one light fixture for night lighting shall be switched at the entrance to each patient room. All switches for control of lighting in patient areas shall be of the quiet operating type.

- 3) Operating and delivery rooms shall have general lighting in addition to local lighting provided by special lighting units at the surgical and obstetrical tables. The general lighting shall provide a minimum of 100 footcandles at the procedure tables. Each fixed special lighting unit at the tables shall be connected to an independent circuit.

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e) Receptacles (Convenience Outlets).

- 1) ~~Anesthetizing--Receptacles--~~Each Operating and Delivery Room shall have at least two receptacles installed on each wall or eight receptacles in diversified locations per room.
- 2) ~~Patients--~~~~Rooms--~~Each patient room shall have duplex grounding type receptacles as specified in Article 517-83 and 517-84 of the National Electrical Code. The mounting height of these receptacles shall be 22 to 42 inches above the finished floor.
- 3) ~~Emergency--~~Duplex receptacles for general use shall be installed approximately 50'0" apart in all corridors and within 25'0" of the ends of corridors. These receptacles shall be circuited to the emergency system. Single polarized receptacles marked for use of X-ray only shall be located in corridors of patient areas so that mobile equipment may be used in any location within a patient room without exceeding a cord length of 50'0" attached to the equipment. If the same mobile X-ray unit is used in operating rooms and in nursing areas, all receptacles for X-ray use shall be of a configuration that one plug will fit the receptacles in all locations. Where capacitive discharge or battery-powered X-ray units are used, these polarized receptacles are not required.

f) ~~X-ray--~~~~Film--~~~~illuminator--~~Units--At least two units X-ray film illuminators shall be installed in each Operating, Delivery and Recovery Room, Emergency Treatment Area(s), and in the X-ray Viewing Room of the Radiology Department. More than two units shall be installed as needed.

g) Nurses' Calling System.

- 1) ~~General--~~Each patient room shall be served by at least one calling station and each bed shall be provided with a call button. Two call buttons serving adjacent beds may be served by one calling station. Calls shall register with nursing staff and shall actuate a visible signal in the corridor at the patients' door. In multicorridor nursing units, additional visible signals shall be installed at corridor intersections. In rooms containing two or more calling stations, indicating lights shall be provided at each station. Nurses' Calling Systems which provide two-way voice communications shall be equipped with an indicating light at each calling station which will remain lighted as long as the voice circuit is operating.
- 2) Nurse call duty stations shall be installed in the clean work room, soiled work room, medicine preparation room, nourishment station and nurses' lounge of the unit.
- 3) ~~Patients--~~~~Emergency--~~A Nurses' Call Emergency Station shall be provided for patients' use at each patient's toilet, bath, sitz bath, and shower. These stations are to be the pull-cord type with the cord reaching within 6 inches of the floor. The cords are to be located within reach of a patient.
- 4) ~~Critical--~~~~Care--~~~~Areas--~~In areas such as intensive care, cardiac

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care, recovery and similar patient care areas where patients are under constant surveillance, the Nurses' Calling System may be limited to a bedside station that will actuate a signal that can be readily seen by the other nurses.

- 5) ~~Nurses--~~~~Emergency--~~A communications system which may be used by nurses to summon assistance shall be provided in each Operating, Delivery, Special Procedure, Birthing, Recovery, Emergency Treatment, Critical Care Rooms, in Nurseries, and in Nursing Units for Psychiatric Patients.

h) Communication System

- 1) ~~Public--~~~~Address--~~A loud speaker type sound system shall be provided throughout the facility to allow for announcements, such as paging of personnel and other necessary audio functions.
- 2) Speakers shall be located in all departments to allow hospital personnel to adequately hear all audio outputs from the system.
- 3) The system shall be used as the communication link for emergency announcements, i.e., code blue, impending disasters and others. The audio line at the last speaker in the audio circuits shall be electrically supervised against opens and grounds. The supervision shall be indicated at a building location which is staffed 24 hours a day.

i) Emergency Electric Service.

- 1) ~~General--~~To provide electricity during an interruption of the normal electric supply, an emergency source of electricity shall be provided and connected to the life safety branch, the critical branch, and the equipment branch for lighting and power as established in NFPA-70.

2) ~~Sources--~~The source of this emergency electric service shall be as follows:

- A) An emergency generating set when the normal service is supplied by one or more central station transmission lines.
 - B) An emergency generating set or a central station transmission line when the normal electric supply is generated on the premises.
- 3) Emergency Generating Set-
- A) The required emergency generating set, including the prime mover and generator, shall be located on the premises. Where stored fuel is required for the emergency generator operations, the storage capacity shall be sufficient for not less than 24-hours continuous operation.
 - B) The emergency generator set may be used during periods of high energy demands on local utilities. In the event of an outage of the normal power source, the normal loads shall immediately be removed from the emergency generating set, and the life safety branch, the critical branch, and the equipment branch shall be connected to the generator.

(Source: Amended at 19 Ill. Reg. 13355, effective

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SUBPART U: CONSTRUCTION STANDARDS FOR EXISTING HOSPITALS

Section 250.2620 Codes and Standards

- a) The 76th edition of the National Fire Protection Association (NFPA) Standard No. 101 (1994), "Life Safety Code," for existing structures and all appropriate references under Appendix "B" applies to and is part of these standards.

- b) The National Fire Protection Association (NFPA) Standard No. 101-M (1992), "Alternative Approaches to Life Safety," applies to and is part of these standards.

c) Exceptions:

- 1) ~~---Corridor---width---requirements---are---covered---by---Section 250-2640(a)(2) of these standards.~~

- 2) ~~---Existing---building---construction---shall---be---in---accordance---with---the requirements of section 10-3-3-6 of NFPA-101 except as amended by the following:~~

- A) ~~Multi-story buildings shall be of three--(3)--hour--fire Retardative--Construction as established in NFPA-220--(Standard Types of Building Construction).~~

- B) ~~Buildings of one-story-in-height-only may be of--protected Noncombustible--Construction as established in NFPA-220--(Standard Types of Building Construction)--including--a minimum hourly rating of one--(1)--hour--for--roofs--and--floors--and--two--(2)--hours--for--bearing--walls--and--columns.~~

- c) Existing building construction shall be in accordance with the following requirements:

- 1) Multi-story buildings shall be of Type I (332) as established in NFPA Standard No. 220 (1992), "Standard Types of Building Construction."

- 2) Buildings of only one story in height may be of Type II (222) construction as established in NFPA Standard No. 220 (1992), "Standard Types of Building Construction."

(Source: Amended at 19 Ill. Reg. 1335, effective SEP 15 1995)

Section 250.2660 Mechanical

- a) Any retrofit of existing heating, ventilating air conditioning systems for energy conservation purposes may meet any or all of the requirements of Section 250.2480 (Mechanical) in lieu of the parallel requirements of this Section.

- b) ~~Steam--and--Hot--Water--Systems~~ Boiler feed pumps, return pumps and circulating pumps shall be furnished in duplicate, each of which has a capacity to carry the full load. Blow off valves, relief valves,

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nonreturn valves, injectors and fittings shall be provided to meet the requirements of the city and state codes and recommendations of the A.S.M.E.

- c) Air Conditioning, Heating and Ventilating Systems
~~1) Temperatures and Humidities~~The systems should be capable of providing the following temperatures and humidities in the following areas:

Area Designation	Temperature ° F	Temperature ° C	Relative Humidity % Min.	Max.
Operating Room	70-76*	21-24*	50	50
Delivery Room	70-76*	21-24*	50	60
Recovery Room	75	24	50	60
Intensive Care Units	75-80*	24-27*	30	60
Nursing Units	75	24	30	60
Special Care Nursery Units	75-80*	24-27*	30	60
Other patient areas	75	24		
*Variable range				

2) Ventilation Systems

- A) Air handling systems shall conform to NFPA Standard No. 90A (1989), "Installation of Air Conditioning and Ventilating Systems," NFPA-90A-1975.

- B) Outdoor intakes should be located as far as practical but not less than 15 feet from exhaust outlets of ventilation systems, combustion equipment stacks, medical-surgical vacuum systems, plumbing vent stacks or from areas which may collect vehicular exhaust and other noxious fumes.

- C) All ventilation air supplied to operating rooms, delivery rooms and nurseries should be delivered at or near the ceiling of the area served, and all exhaust air from the area should be removed near the floor level. At least two exhaust outlets should be used in all operating and delivery rooms.

- D) All central ventilation or air conditioning systems shall be equipped with filters having efficiencies no less than those specified in the following:

FILTER EFFICIENCIES FOR CENTRAL VENTILATION
 AND AIR CONDITIONING SYSTEMS IN GENERAL HOSPITALS

Area Designation Filter Efficiencies
 (percent)

Sensitive Areas*

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1) Heading of the Part: Illinois Trauma Center Code

2) Code Citation: 77 Ill. Adm. Code 540

3) Section Numbers: Adopted Action:

540.30 Amendments
540.70 Amendments
540.80 Amendments
540.90 Amendments
540.100 Amendments
540.120 Amendments
540.130 Amendments
540.Appendix B New Section

4) Statutory Authority: Emergency Medical Services Systems Act [210 ILCS 50 et seq.]

5) Effective Date of Rules: September 15, 1995

6) Does this Rulemaking Contain an Automatic Repeal Date? No

7) Does this Rulemaking Contain Any Incorporations By Reference? Yes

8) Date Filed in Agency's Principal Office: September 15, 1995

9) Date Notice(s) of Proposal was Published in Illinois Register: February 10, 1995 - 19 Ill. Reg. 1242

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No

11) Difference Between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

1. In line 50, insert periods, underlined, after "H" and "R", "W" and "J", "A" and "J" and "al"; strike out the colon after "al".
2. In line 50, move "CritCare Med 9(9):" to line 51.
3. In line 60, strike out the colon and insert a period, underlined.
4. In line 64, move the text to line 63 after "Clinical".
5. In line 70, move the text to line 69 after "of".
6. In line 73, strike out "Stat." and insert "U.S.C."

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7. In lines 77, 80 and 84, strike out "(Ill. Rev. Stat. 1987, ch." and delete "1991".

8. In line 78, strike out "Ill 1/2, par. 142 et seq.)".

9. In line 81, strike out "Ill, par. 3501 et seq.)".

10. In line 85, strike out "Ill, par. 4400-1 et seq.)".

11. In lines 88-89, strike out "(Ill. Rev. Stat. 1987, ch. 110, par. 8-2101 et seq.)" and delete "1991".

12. In lines 111, 386, and 538, add a hyphen, underlined, after "24".

13. In line 141, add a period, underlined, after "surgery".

14. In line 336, insert a comma, underlined, after "Plan".

15. In lines 463-464, strike out "(Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.)".

16. In line 677, change "isolated" to "isolated".

Various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? No

15) Summary and Purpose of Rules: The rules in Part 540 regulate hospitals with Trauma Center designation. The specific changes are as follows:

Section 540.30 - Incorporated materials used in the program are updated.

Section 540.70 - Language regarding surgeon certification is corrected; language is added to clarify when surgeons must respond to the Trauma Center to care for patients, and flexibility is provided for cardiovascular surgeon coverage; resident coverage is allowed for radiology; criteria for trauma nurse specialist staffing are amended; helicopter landing requirements are changed for out-of-state facilities designated as Illinois Trauma Centers; the availability of medical audits

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is clarified; unnecessary equipment requirements are deleted; a policy is added for Department notification when resource limitations result in diversion of trauma patients to other facilities.

Section 540.80 - Many of the changes in this Section, which governs Level II Trauma Center designation, are the same as those set forth in Section 540.70 for Level I Trauma Center designation. In addition, the amendments allow Level II Trauma Centers to utilize surgical residents; clarify response times for anesthesiologists; require written transfer agreements for some surgical specialties.

Section 540.90 - Requirements for the Trauma Region Plan are amended by adding minimal criteria for trauma activation and specifying Level I or II designation based on transport time.

Section 540.100 - Uniform reporting requirements are amended to update computer equipment requirements and revise the required data elements.

Section 540.120 - The 60-day notice requirement is deleted for filing requests for renewal with the Department prior to the designation expiration date.

Section 540.130 - Reference to the Area Hospital Emergency Services Committee, which no longer exists, is deleted.

Section 540. Appendix B - This Appendix is being added to set forth minimum trauma field triage criteria.

These amendments were developed in cooperation with the State Emergency Medical Services Council.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito
Division of Governmental Affairs
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217) 782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER f: EMERGENCY MEDICAL SERVICES AND HIGHWAY SAFETY

PART 540

ILLINOIS TRAUMA CENTER CODE

Section

540.10	Purpose and Applicability
540.20	Definitions
540.30	Incorporated Materials
540.35	Trauma Center Designation Delegation to Local Health Departments
540.40	Trauma Region Designation
540.50	Trauma Center Designation
540.60	Application Process
540.65	Trauma Patient Evaluation
540.70	Level I Trauma Center Designation Criteria
540.80	Level II Trauma Center Designation Criteria
540.90	Trauma Region Plan
540.100	Uniform Reporting Requirements
540.110	Term of Designation
540.120	Renewal of Designation
540.130	Inspections and Investigations
540.140	Denial of Application for Designation or Request for Renewal
540.150	Voluntary Termination of Designation
540.160	Compensatory Provisions and Shortage Areas
540.170	Misrepresentation
540.180	Failure to Develop Protocols
540.190	Confidentiality and Immunity
540.200	Inspection and Revocation of Designation
540.210	Level I Trauma Center Grants
540.220	Trauma Center Fund
APPENDIX A	A Request for Designation (RFD) Trauma Center
APPENDIX B	Minimum Trauma Field Triage Criteria

AUTHORITY: Implementing and authorized by Emergency Medical Services (EMS) System Act [210 ILCS 50].

SOURCE: Adopted at 11 Ill. Reg. 20153, effective December 1, 1987; amended at 13 Ill. Reg. 15441, effective September 15, 1989; emergency amendment at 14 Ill. Reg. 13856, effective August 13, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 19041, effective December 15, 1990; amended at 15 Ill. Reg. 1084, effective January 15, 1991; amended at 17 Ill. Reg. 8258, effective May 21, 1993; emergency amendment at 17 Ill. Reg. 12439, effective July 7, 1993, for a maximum of 150 days; emergency expired on December 4, 1993; amended at 18 Ill. Reg. 2620, effective February 10, 1994; amended at 19 Ill. Reg.

13417, effective **SEP 15 1995**.

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Section 540.30 Incorporated Materials

- a) The following materials are standards incorporated or referenced in this Part:

1) Codes and Standards of nationally recognized organizations

A) Glasgow Coma Scale

Champion H.R., HR, Sacco W.J., Wd, Carnazzo A.J., Ad et al.,

CritCare Med 9(9): 672-676, 1981 (See Section 540.100)

B) Revised Trauma Score

American Trauma Society

P.O. Box 13526

Baltimore, Maryland 21203 (See Section 540.100)

C) Abbreviated Injury Score (1985) [1990]

American Association of Automotive Medicine

Arlington Heights, Illinois 60005 (See Section 540.100)

D) Injury Severity Score

Baker S.P., O'Neil B., Hadon W., et al.,

Journal of Trauma 1974; 14: 187-196 (See Section 540.100)

E) International Classification of Diseases 9th Revision,

Clinical Modification (ICD-9-CM)

Alphabetic Index to External Causes of Injury (E-Codes)

Second Printing 1980

World Health Organization, Geneva, Switzerland and National

Center for Health Statistics, published in the United States

of America by Edwards Brothers, Inc., Ann Arbor, Michigan.

b) All incorporations by reference of federal regulations and the

standards of nationally recognized organizations refer to the

regulations and standards on the date specified and do not include any

additions or deletions subsequent to the date specified.

c) The following statutes and State regulations are referenced in this

Part:

1) Federal statutes:

a) Federal Guidelines, Statutes and Regulations

A) Sections 307 and 309 of the Federal Aviation Act of 1958

(P.L. 85-726, 72 U.S.C. Stat. 731)

B) 14 CFR 157 and 77, Subpart D 1989 (See Sections 540.70(h)

and 540.80(i))

2) State of Illinois statutes: Statutes

A) Hospital Licensing Act [210 ILCS 85] (1987-Rev-Stat-1987

7-CH-111-127-par-142-et-seq) (See Sections 540.20,

540.190(b))

B) Illinois Nursing Act of 1987 [225 ILCS 65] (1987-Rev-

Stat-1987-CH-111-par-3581-et-seq) (See Sections

540.20, 540.70(e)(1)(B), 540.70(e)(4)(B), 540.70(f)(2),

540.80(f)(1)(B), 540.80(f)(8)(B), 540.80(g)(2))

C) Medical Practice Act of 1987 [225 ILCS 60] (1987-Rev-

Stat-1987-CH-111-par-4481-et-seq) (See Sections

540.70, 540.70(e)(1)(A), 540.70(e)(4)(A), 540.70(f)(1),

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540.80(f)(1)(A), 540.80(f)(8)(A), 540.80(g)(1))

D) Code of Civil Procedure [735 ILCS 5]. (1987-Rev-Stat-

1987-CH-111-par-82181-et-seq) (See Section

540.190(a))

3) State of Illinois regulations: Regulations

A) Aviation Safety [92 Ill. Adm. Code 14.790, 14.792, 14.795].

(See Sections 540.70(h) and 540.80(i))

B) Rules of Practice and Procedure in Administrative Hearings

(77 Ill. Adm. Code 100). (See Section 540.140(b))

e) All incorporations by reference of federal rules and the standards of

nationally recognized organizations refer to the regulations and

standards on the date specified and do not include any additions or

deletions subsequent to the date specified.

(Source: Amended 5 1995)

19 Ill. Reg. 13417, effective

September 5 1995

Section 540.70 Level I Trauma Center Designation Criteria

a) The Level I Trauma Center, under the direction of the Level I Trauma

Center Medical Director, shall be responsible for the coordination and

management of trauma care in the Trauma Region. This responsibility

includes obtaining the cooperation of all Level II Trauma Centers,

Affiliate Trauma Hospitals, and EMS Systems in the Trauma Region.

b) The Trauma Center Medical Director shall be a trauma surgeon, American

College of Surgeons board certified in surgery, with at least one

year of experience in trauma care and with twenty-four to 24-hour

independent operating privileges.

c) The Trauma Center shall provide a Trauma Service separate from the

general surgery service, which is an identified hospital service

functioning under a designated director and staffed by general or

trauma surgeons with one year of experience in trauma, and who are

available twenty-four to 24 hours a day in-house. This requirement

may be fulfilled by residents with a minimum of four to four years of

general surgery residency training with independent operating

privileges, with a staff specialist on call and available within

thirty to thirty minutes to arrive at the hospital to treat the patient

within 30 minutes after notification that his or her services are

needed at the hospital.

d) The Trauma Center shall provide have the following surgical services

within thirty to thirty minutes on call to arrive at the hospital to treat

the patient within 30 minutes after notification that their services

are needed at the hospital:

1) Cardiothoracic: this requirement may be fulfilled by a

cardiothoracic surgeon or a trauma/general surgeon with

experience in cardiothoracic surgery for life-saving procedures.

who must have cardiothoracic privileges;

2) Neurosurgical;

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- 3) Obstetrics;
 - 4) Orthopedic;
 - 5) Replantation;
 - 6) Vascular;
 - 7) Ophthalmologic;
 - 8) Oral-Dental;
 - 9) Otorhinolaryngologic;
 - 10) Plastic/Maxillofacial;
 - 11) Urologic; and
 - 12) Pediatric general surgery.
- e) The Trauma Center shall provide the following nonsurgical services within the designated times:
- 1) Emergency Medicine staffed twenty-four (24) hours a day in the Emergency Department by:
 - A) A physician who has competency in trauma as demonstrated by:
 - i) board certification by the American Board of Emergency Medicine; or
 - ii) completion of twelve (12) months of internship, followed by at least 7000 hours of hospital-based Emergency Medicine over at least a 60 month period (including 2800 hours within one 24-month period), verified in writing by the hospital(s) at which the internship and subsequent hours were completed, and continuing medical education totalling 50 hours for each post-internship year in which the physician completed any hospital-based Emergency Medicine hours (the physician may attend less than 50 hours in any given year provided the total number averages 50 hours per year of practice); or
 - iii) completion of a residency in Emergency Medicine in a residency program approved by the Residency Review Committee for Emergency Medicine; and
 - B) Registered Professional Nurses.
- 2) Anesthesiology Services:
- A) The anesthesiology service or department shall be supervised by anesthesiologists. "Supervise" for the purposes of this subsection, means to manage, control and direct the services performed, including being present in the trauma center and immediately available for consultation while the services are being performed.
 - B) Anesthesiology services shall be available twenty-four (24) hours a day in-house.
 - C) Direct patient care services may be performed by an anesthesiologist or a certified registered nurse anesthetist (CRNA) acting under the direct supervision of an anesthesiologist.
- 3) Radiology staffed by:

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- A) A technician with the ability to perform a computerized axial tomography (CAT) scan twenty-four (24) hours a day in-house; and
 - B) A radiologist with the ability to read CAT scans and perform angiography available within thirty (30) minutes. This requirement may be met by a Post Graduate Year (PGY) II radiology resident or a PGY I resident with six months experience in CT and angiography.
- 4) Intensive Care Medicine Unit having available twenty-four (24) hours a day in-house:
- A) A physician credentialed by the hospital. This requirement may be fulfilled by second and third year residents who have had adult intensive care training and are under the supervision of a staff physician possessing full adult intensive care privileges;
 - B) Registered Professional Nurses; and
 - C) The following equipment:
 - i) Airway control and ventilation devices;
 - ii) Oxygen source with concentration controls;
 - iii) Cardiac emergency cart;
 - iv) Temporary-transvenous-pacemaker;
 - v) Electrocardiograph-oscilloscope-defibrillator;
 - vi) Cardiac output monitoring;
 - vii) Electronic pressure monitoring;
 - viii) Mechanical ventilator-respirators;
 - ix) Patient-weighting-devices;
 - x) Pulmonary function measuring devices;
 - xi) Temperature control devices; and supplies in accordance with the Hospital Licensing Requirements, 77 Ill. Adm. Code 250, specifically 250.1050, 250.2140, and 250.2710;
 - xii) Intracranial pressure monitoring devices;
 - xiii) Temporary pacemaker; and
 - xiv) Intra-aortic balloon pump capability.
- 5) Laboratory twenty-four (24) hours a day in-house, providing the following:
- A) Standard analysis of blood, urine, and other body fluids;
 - B) Blood typing and cross-matching;
 - C) Coagulation studies;
 - D) Comprehensive blood bank or access to a community central blood bank and adequate hospital storage facilities (see Hospital Licensing Requirements, 77 Ill. Adm. Code 250, specifically 250.520);
 - E) Blood gases and pH determinations;
 - F) Microbiology, to include the ability to initiate aerobic and anaerobic cultures on a 24 hour per day basis; and
 - G) Drug and alcohol screening.

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- 6) Cardiology -- ~~sixty~~ 60 minutes;
- 7) Internal Medicine -- ~~sixty~~ 60 minutes;
- 8) Neuroradiology staffed by a radiologist with the ability to read CAT scans and perform angiography -- ~~thirty~~ 30 minutes; this requirement may be met by a PGY II radiology resident or PGY I resident with six months experience in CT and angiography;
- 9) Pediatrics -- ~~sixty~~ 60 minutes;
- 10) Postanesthetic recovery room ~~twenty-four~~ 24 hours a day;
- 11) Acute hemodialysis capability ~~twenty-four~~ 24 hours a day or a transfer agreement;
- 12) Burn center staffed by Registered Nurses trained in burn care ~~twenty-four~~ 24 hours a day or a transfer agreement;
- 13) Acute spinal cord injury management ~~twenty-four~~ 24 hours a day or a transfer agreement; and
- 14) Replantation service within ~~thirty~~ 30 minutes, or a transfer agreement.

f) The Trauma Center shall meet the following professional staff requirements:

- 1) The Emergency Department Director shall be a physician board certified by the American Board of Emergency Medicine;
- 2) The nurses in charge on each shift in the Emergency Department and the Trauma Service shall be Registered Nurses with at least two years of experience in trauma care. ~~The staffing requirement for the Trauma Service shall be based upon the average census and activity as determined by historical trends and patterns. Staffing shall be at least one Registered Nurse who has completed the Trauma Nurse Specialist Course or a course approved by the Department as equivalent to the standards set forth in the Trauma Nurse Specialist Course Code 477-III-Adm-Code-5427, and a recognized course in advanced cardiac care such as the American Heart Association's Advanced Cardiac Life Support class, for every per average trauma patient indicated by the average census and activity. This staffing requirement for the Trauma Service shall be exclusive of the charge nurses and the staffing of the Emergency Department. In addition, this requirement in no way limits the utilization of the nursing staff assigned to the Trauma Service in the Emergency Department when the nursing staff is not needed in the Trauma Service. An approval of an equivalent for the purpose of this Section may be requested by submitting a written proposal to the Department. Any written proposal shall include a detailed description of the proposed equivalent, an analysis of the differences between the equivalent and the provisions of this Section, and an explanation of the effect of these differences on the qualifications of the individual. The capability of the proposed equivalent to provide the knowledge and expertise provided by the provisions of this Section based upon the information submitted shall be the basis for approval or denial of the request for approval of a proposed equivalent, and~~

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The staffing requirement for the Trauma Services shall be exclusive of the charge nurses and shall include Registered Nurse(s) immediately available for care of any trauma patient and who have completed a Trauma Nurse Specialist Course (77 Ill. Adm. Code 542). A back-up policy shall provide for a nurse with experience evidenced by successful completion of an institution orientation to trauma care in addition to a current Trauma Nurse Core Curriculum (TNCC) or 16 hours equivalent in trauma nursing education, approved by the Department, in a four year period. A back-up schedule must be maintained; and

- 3) An operating room shall be staffed in-house and available ~~twenty-four~~ 24 hours a day.

g) The Trauma Center shall provide and maintain the following equipment:

- 1) Airway control and ventilation equipment including laryngoscopes and endotracheal tubes of appropriate sizes, bag-mask, resuscitator, sources of oxygen, and mechanical ventilator;
- 2) Suction device devices and equipment (pulmonary and gastric);
- 3) Electrocardiograph-oscilloscope-defibrillator;
- 4) Apparatus to establish central venous pressure monitoring;
- 5) All standard intravenous fluids and administration devices ~~including normal saline, half-normal saline, lactated Ringers macro-drop, micro-drop, blood tubing, blood pump and intravenous catheters;~~
- 6) Sterile surgical sets of procedures standard for ED, such as cricothyrotomy, tracheostomy, thoracotomy, and cut down;
- 7) ~~Sestie-lavage equipment;~~
- 8) Drugs and supplies necessary for emergency care;
- 9) X-ray and CAT scan capability, 24 hour coverage by in-house technicians;

10) Spinal immobilization equipment;

11) Temporary pacemaker; and

12) Specialized pediatric resuscitation cart in the Emergency Area.

h) The Trauma Center must provide helicopter landing capabilities approved by State and Federal authorities. (Section 27(a)(13) of the Act). The helicopter landing capabilities shall:

- 1) Comply with the Aviation Safety Rules of the Illinois Department of Transportation (92 Ill. Adm. Code 14.790, 14.792, 14.795);
- 2) Be covered by a favorable airspace determination letter issued by the Federal Aeronautics Administration pursuant to Sections 307 and 309 of the Federal Aviation Act of 1958, and 14 CFR Part 157 and 14 CFR Part 77, Subpart D; and
- 3) Be provided on the campus of the Trauma Center.

Out-of-state trauma centers are exempted from this subsection (h) but must provide proof of compliance with their state's rules that govern aviation safety.

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i) The Trauma Center shall perform medical-audits focused outcome analyses of its trauma services on a quarterly basis, the results of which shall be forwarded to the Department; and shall have the results available for review at the request of the Department.

j) The Trauma Center shall provide a proposed Trauma Region Plan, which shall include the following:

- 1) The protocols for treating patients in the Level I Trauma Center;
- 2) The protocols for transferring trauma patients to more specialized care;
- 3) Procedures for the development, maintenance and updating of region-wide protocols as required in Section 540.90 of this Part;
- 4) Recommendations for Level II Trauma Center designations and Affiliate Trauma Hospitals to serve the Trauma Region;
- 5) Sample agreements with the recommended hospitals outlining their respective responsibilities in providing Trauma Services and the integration of communications in the Trauma Region;
- 6) Sample agreements with all EMS systems providing services within the Trauma Region to assure integration of communications and transportation;
- 7) A disaster preparedness plan which explains the actions and responsibilities of the Level I Trauma Center, the EMS systems, the recommended Level II Trauma Centers and the recommended Affiliate Trauma Hospitals within the Trauma Region. This may incorporate or consist of existing Disaster Plans; and
- 8) The procedures for reviewing the medical-audits focused outcome analyses performed by Level II Trauma Centers within the Trauma Regions to assure compliance with the written agreements required by Section 540.90 of this Part.

k) The Trauma Center shall develop a policy that identifies resource limitations that would result in the diversion of a trauma patient to another facility. This policy shall include notification procedures for pre-hospital personnel and for surrounding trauma centers.

- 1) Such diversion must be reported to the Department by telephone if it occurs during business hours. Otherwise, written notification of diversion must be sent no more than 48 hours following the diversion.

2) Both forms of notification shall include at minimum:

- A) The name of the Trauma Center;
- B) Date and time resource limitation started and ended; and
- C) Reason for resource limitation.

(Source: Amended SEP 15 1995 19 Ill. Reg. 13417, effective

Section 540.80 Level II Trauma Center Designation Criteria

- a) A Level II Trauma Center, under the direction of a Level II Trauma Center Medical Director, shall be responsible for providing trauma

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care in accordance with the Trauma Region Plan.

b) The Trauma Center Medical Director shall be a trauma surgeon, American College-of-Surgeons board certified in surgery, with at least one year of experience in trauma care and with twenty-four--t 24-hour independent operating privileges.

c) The Trauma Center shall provide a Trauma Service, which is an identified hospital service functioning under a designated director and staffed by general or trauma surgeons with one year of experience in trauma, who arrive at the hospital to assess and treat the trauma patient within 30 minutes of the patient being declared as a trauma pursuant to Section 540.65 of this Part. The trauma surgeon requirement may be fulfilled by residents with a minimum of four years general surgery residency training with independent operating room privileges with a staff specialist on call to arrive at the hospital to treat the patient within 30 minutes after notification that his or her services are needed at the hospital. The Trauma Center shall maintain a call schedule that identifies at least a primary surgeon and a back-up surgeon.

- 1) The Trauma Center shall have the option of allowing the emergency department personnel to determine that a trauma patient with isolated injuries may be treated by one of the specialty surgical services listed in subsection (d) or (e) below, in lieu of a trauma surgeon. Such services shall be provided within 90 60 minutes after of--the-patient--being--declared--as--a--trauma- notification of the surgeon that his or her services are needed at the hospital, except for neurosurgery, which shall be provided within 30 minutes.

- 2) A Trauma Center electing to implement subsection (c)(1) above shall follow the protocols established in Section 540.90 (c)(1)(A) of this Part.

d) The Trauma Center shall provide the following surgical services within sixty--t 60 minutes:

- 1) Cardiothoracic: this requirement may be fulfilled by a cardiothoracic surgeon or a trauma/general surgeon with experience in cardiothoracic surgery for life-saving procedures, who must have cardiothoracic privileges;

- 2) Obstetrics;
- 3) Orthopedic; and
- 4) Urologic.

e) The Trauma Center shall provide have the following surgical services within--sixty--t 60 minutes or by --transfer--agreement-- specialties on call to arrive at the hospital to treat the patient within 60 minutes after notification that their services are needed. These services may be provided by written transfer agreement. These services must be provided according to subsection (c)(1) for isolated injuries when the trauma surgeon is not required to respond.

- 1) Neurologic;
- 2) Ophthalmologic;

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- 3) Oral-Dental;
- 4) Otorhinolaryngologic;
- 5) Reimplantation; and
- 6) Plastic/Maxillofacial.
- f) The Trauma Center shall provide the following nonsurgical services within the designated times:
- 1) Emergency Medicine staffed ~~twenty-four~~ 24 hours a day in the Emergency Department by:
- A) A physician who has competency in trauma as demonstrated by:
- i) board certification by the American Board of Emergency Medicine; or
- ii) completion of 12 months of internship, followed by at least 7,000 hours of hospital-based Emergency Medicine over at least a 60-month period (including 2800 hours within one 24-month period), verified in writing by the hospital(s) at which the internship and subsequent hours were completed, and continuing medical education in Emergency Medicine totalling 50 hours for each post-internship year in which the physician completed any hospital-based Emergency Medicine hours (the physician may attend less than 50 hours in any given year provided the total number averages 50 hours per year of practice); or
- iii) completion of a residency in Emergency Medicine in a residency program approved by the Residency Review Committee for Emergency Medicine; and
- B) Registered Professional Nurses.
- 2) Anesthesiology Services:
- A) Anesthesiology services shall be in compliance with the Hospital Licensing Act, ~~(111 Rev. Stat. 1991, ch. 111, 1/27 par. 142-1 et seq.)~~ and the Hospital Licensing Requirements, 77 Ill. Adm. Code 250.1410. ~~Such services shall be available within thirty (30) minutes. Staff shall be on call to arrive at the hospital to administer anesthesia within 30 minutes after notification that their services are needed at the hospital.~~
- B) Direct patient care services may be performed by an anesthesiologist or a certified registered nurse anesthetist (CRNA).
- 3) Laboratory -- ~~twenty-four~~ 24 hours a day in-house, providing the following:
- A) Standard analysis of blood, urine, and other body fluids;
- B) Blood typing and cross-matching;
- C) Coagulation studies;
- D) Comprehensive blood bank or access to a community central blood bank and adequate hospital storage facilities (See Hospital Licensing Requirements, 77 Ill. Adm. Code 250,

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specifically Section 250.520):

- E) Blood gases and pH determinations;
- F) Microbiology, to include the ability to initiate aerobic and anaerobic cultures on a 24 hour per day basis; and
- G) Drug and alcohol screening.
- 4) Radiology staffed by:
- A) A technician with the ability to perform a CAT scan available within ~~thirty~~ 30 minutes; and
- B) A radiologist with the ability to read CAT scans and perform angiography available within ~~sixty~~ 60 minutes. This requirement may be met by a PGY II radiology resident or PGY I resident with six months experience in CT and angiography.
- 5) Cardiology -- ~~sixty~~ 60 minutes;
- 6) Internal Medicine -- ~~sixty~~ 60 minutes;
- 7) Postanesthetic recovery room staffed and available within ~~thirty~~ 30 minutes.
- 8) Intensive Care Medicine Unit having available the following:
- A) A physician credentialed by the hospital and available within ~~thirty~~ 30 minutes. This requirement may be fulfilled by second and third year residents who have had adult intensive care training and are under the supervision of a staff physician possessing full adult intensive care privileges;
- B) Registered Professional Nurses ~~twenty-four~~ 24 hours a day in the Intensive Care Unit; and
- C) The following equipment ~~twenty-four~~ 24 hours a day in-house:
- i) Airway control and ventilation devices;
- ii) Oxygen source with concentration controls;
- iii) Cardiac emergency cart;
- iv) ~~Temporary-transvenous-pacemaker;~~
- v) Electrocardiograph-oscilloscope-defibrillator;
- vi) ~~Pulmonary-function-measuring-devices;~~
- vii) Temperature control devices;
- viii) Drugs, intravenous fluids, and supplies in accordance with the Hospital Licensing Requirements, 77 Ill. Adm. Code 250, specifically Sections 250.1050, 250.2140, and 250.2710;
- ix) Temporary pacemaker; and
- x) Mechanical ventilator-respirators; and,
- xi) ~~Patient-weighting-devices;~~
- 9) Pediatrics -- ~~sixty~~ 60 minutes;
- 10) Acute hemodialysis capability ~~twenty-four~~ 24 hours a day or a transfer agreement;
- 11) Burn center staffed by Registered Nurses trained in burn care ~~twenty-four~~ 24 hours a day or a transfer agreement; and,
- 12) Acute spinal cord injury management ~~twenty-four~~ 24 hours a day or a transfer agreement.

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g) The Trauma Center shall meet the following professional staff requirements:

- 1) The Emergency Department Director shall be a physician board certified by the American Board of Emergency Medicine, or a physician that who has completed 12 months of internship, followed by 60 months plus 7,000 hours of hospital based Emergency Medicine (2800 of the 7,000 hours must be completed within one ~~twenty-four~~ 24-month period), and 50 hours of continuing medical education in Emergency Medicine for each complete year of practice, or a physician that who has completed a residency program approved by the Residency Review Committee for Emergency Medicine;

- 2) The nurse in charge on each shift in the Emergency Department and for the Trauma Service shall be a Registered Nurse with at least two years experience in trauma care. ~~the staffing requirements for the Trauma Service shall be based upon the average census and acuity, as determined by historical trends, and patterns. Staffing shall be at least one Registered Nurse who has completed the Trauma Nurse Specialist Course or a course approved by the Department as equivalent to the standards set forth in the Trauma Nurse Specialist Course Code 477-III--Adm--Code--542)--and--a recognized course in advanced cardiac care, such as the American Heart Association's Advanced Cardiac Life Support--class--for every per average trauma patient indicated by the average census and acuity. This staffing requirement for the Trauma Service shall be exclusive of the charge nurses and the staffing of the Emergency Department. In addition, this requirement in no way limits the utilization of the nursing staff assigned to the Trauma Service in the Emergency Department when the nursing staff is not needed in the Trauma Service. An approval of an equivalent for the purpose of this Section may be requested by submitting a written proposal to the Department. Any written proposal shall include a detailed description of the proposed equivalent, an analysis of the differences between the equivalent and the provisions of this Section, and an explanation of the effect of these differences on the qualifications of the individual the capability of the proposed equivalent to provide the knowledge and experience provided by the provisions of this Section based upon the information submitted shall be the basis for approval or denial of the request for approval of a proposed equivalent. The staffing requirement for the Trauma Services shall be exclusive of the charge nurse and shall include Registered Nurses immediately available for care of any trauma patient and who have completed a Trauma Nurse Specialist Course (77 Ill. Adm. Code 542). A back-up policy shall provide for a nurse with experience evidenced by Trauma Nurse Core Curriculum (TNCC) or 16 hours equivalent in trauma nursing education, approved by the Department, in a four year period. A back-up schedule must be~~

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- 3) An operating room shall be staffed and available within ~~thirty~~ 30 minutes ~~twenty-four~~ 24 hours a day.

h) The Trauma Center shall provide and maintain the following equipment:

- 1) Airway control and ventilation equipment including laryngoscopes and endotracheal tubes of appropriate sizes, bag-mask, resuscitator, sources of oxygen, and mechanical ventilator;
- 2) Suction device;
- 3) Electrocardiograph-oscilloscope-defibrillator;
- 4) Apparatus to establish central venous pressure monitoring;
- 5) All standard intravenous fluids and administration devices including normal saline, half-normal saline, lactated ringers, macro-dropper, micro-dropper, blood-tubing, blood-pump-and-intravenous catheters;
- 6) Sterile surgical sets of procedures standard for ED, such as cricothyrotomy, tracheostomy, thoracotomy, thoracostomy, and cut down;
- 7) Gastric lavage equipment;
- 8) Drugs and supplies necessary for emergency care;
- 9) X-ray and CAT scan capability, available within ~~thirty~~ 30 minutes;
- 10) Spinal immobilization equipment;
- 11) Temporary pacemaker; and
- 12) Specialized pediatric resuscitation cart in the Emergency Area.

i) The Trauma Center must provide helicopter landing capabilities approved by State and Federal authorities. (Section 27(a)(13) of the Act). The helicopter landing capabilities shall:

- 1) Comply with the Aviation Safety Rules of the Illinois Department of Transportation (92 Ill. Adm. Code 14.790, 14.792, 14.795);
- 2) Be covered by a favorable airspace determination letter issued by the Federal Aeronautics Administration pursuant to Sections 307 and 309 of the Federal Aviation Act of 1958, and 14 CFR Part 157 and 14 CFR Part 77, Subpart D; and
- 3) Be provided on the campus of the Trauma Center.

Out-of-state trauma centers are exempted from this subsection (i) but must comply with their state's rules that govern aviation safety.

j) The Trauma Center shall perform medical audits focused outcome analyses of its trauma services on a quarterly basis, the results of which shall be forwarded to the Department and to the Level I Trauma Center serving the Trauma Region; and shall have the results available for review at the request of the Department.

k) The Trauma Center shall provide annually written protocols concerning the following:

- 1) The treatment of trauma patients in the Trauma Center; and
- 2) The transfer of trauma patients to the Level I Trauma Center serving the Trauma Region or a more specialized level of care.

l) The Trauma Center shall develop a policy that identifies resource

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limitations that would result in the diversion of a trauma patient to another facility. This policy shall include notification procedures for pre-hospital personnel and for surrounding trauma centers.

- 1) Such diversion must be reported to the Department by telephone if it occurs during business hours. Otherwise, written notification of diversion must be sent no more than 48 hours following the diversion.

- 2) Both forms of notification shall include at minimum:

- A) The name of the Trauma Center;
- B) Date and time resource limitation started and ended; and
- C) Reason for resource limitation.

(Source: Amended at 19 Ill. Reg. **13417**, effective SEP 15 1995)

Section 540.90 Trauma Region Plan

- a) Within six (6) months of designation by the Department, the Level I Trauma Center serving a Trauma Region shall submit to the Department a Trauma Region Plan. If more than one Level I Trauma Center serves a Trauma Center Region, then the Level I Trauma Centers must establish and implement an agreement of cooperation for the review and coordination of services within the Trauma Center Region.

- b) The Level I Trauma Center shall assemble a committee which shall develop the Trauma Region Plan. The Committee shall consist of:

- 1) The Trauma Region's Level I Trauma Center Medical Director;
- 2) The Trauma Region's Level II Trauma Center Medical Directors;
- 3) The Project Medical Directors from all the EMS Systems within the Trauma Region;

- 4) The Project Medical Directors from all EMS Systems outside the Trauma Region which transfer patients into the Trauma Region;
- 5) Administrators of the associate hospitals of the EMS System of which the prehospital care provider is a part;

- 6) Nursing Directors of the associate hospitals of the EMS System of which the prehospital care provider is a part;

- 7) A representative of an ambulance service provider from each EMS system within the trauma region. (Section 27e of the Act);
- c) The Trauma Region Plan shall include but not be limited to the following:

- 1) Protocols addressing the following:

- A) The treatment of trauma patients in each Trauma Center in the Trauma Region. These protocols shall address which trauma patients with isolated ~~isolated~~ injuries may be treated by a specialty surgical service in lieu of a trauma surgeon, pursuant to Section 540.80 (c)(1) of this Part. The protocols shall also specify that any patient not specifically identified as one who may be treated by a specialty surgical service shall be treated by a trauma

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surgeon:

- B) The evaluation and identification of when patients shall be transported to a Trauma Center, Affiliate Trauma Hospital, or other hospital;
- C) The bypassing of any level Trauma Hospital;
- D) The transfer of trauma patients to a Level I Trauma Center or to more specialized care;
- E) Field triage (See Section 540. Appendix B);
- F) Hospital triage (See Section 540. Appendix B);
- G) Medical/legal issues; and
- H) Local conflict mediation.

- 2) Written agreements addressing the following:

- A) The respective responsibilities of the Level I Trauma Center, the Level II Trauma Centers, the Affiliate Trauma Hospitals and the EMS Systems within the Trauma Region in providing integrated trauma services, transportation and communications; and

- B) The respective responsibilities of EMS Systems and hospitals in providing specialty care outside of the Trauma Region in providing trauma patient care.

- 3) A Disaster Preparedness Plan which includes the actions and responsibilities of the Level I Trauma Center, the Level II Trauma Centers, the Affiliate Trauma Hospitals and the EMS Systems within the Trauma Region.

- 4) A program for conducting a quarterly conference which shall include at a minimum a discussion of morbidity and mortality between all professional staff involved in the care of trauma patients at all Trauma Centers and Affiliate Trauma Hospitals.

- 5) A program for informing all participants involved in the care of trauma patients within the Trauma Region of field triage treatment protocols and all other aspects of the Trauma Region Plan.

- 6) Written Protocols

- A) Written Protocols which shall provide that a person shall not be transported to a facility other than the regional trauma center or the nearest Trauma Center or hospital unless the Project Medical Director or his qualified designee has determined and certified that, based upon the reasonable risks and benefits to the patient, and based on the information available at the time:
 - i) the medical benefits reasonably expected from the provision of appropriate medical treatment at a more distant facility outweigh the increased risks to the patient from transport to the more distant facility, and

- ii) the more distant facility has available space and qualified personnel for the treatment of the patient.

Section 27e of the Act) A Trauma Center, associate

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hospital or participating hospital affiliated with the EMS System may be presumed to have available space and qualified personnel in accordance with its level of participation within the System, unless such facility has notified the Project Medical Director that it has a shortage or limitation of space or qualified personnel.

B) The Trauma Region's protocols shall be consistent with the protocols of the EMS System within the Region, including but not limited to, a System's protocols for accommodating the patient's choice of facility other than the nearest hospital or trauma center.

C) For purposes of this subsection, the "nearest hospital" is the hospital which is closest to the scene of the emergency as determined by travel time, and which operates a full-time emergency department at the minimum level recognized by the System in its Department approved program plan. The "nearest trauma center" is either the Level I Trauma Center serving the trauma region in which the EMS System is located or the Level II Trauma Center which is closest to the scene of the emergency as determined by travel time.

d) Revised Trauma Score

1) The Revised Trauma Score, as specified by the American College of Surgeons, shall be used in all Trauma Regions. The Revised Trauma Score is determined by using the following criteria:

A) Respiratory Rate	Value	Points
	10-29/Min	4
	less greater than 29/Min	3
	6-9/Min	2
	1-5/Min	1
	0	0
B) Systolic Blood Pressure	greater than 89	4
	76-89	3
	50-75	2
	1-49	1
	no pulse	0

C) Glasgow Coma Scale

i) Eye Opening Response	Points
Spontaneous	4
To Voice	3
To Pain	2
None	1
ii) Best Verbal Response	Points
Oriented	5
Confused	4

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Inappropriate Words 3
Incomprehensible Sounds 2
None 1

iii) Best Motor Response 3
Obeys Commands 6
Localizes (Pain) 5
Withdraw (Pain) 4
Flexion (Pain) 3
Extension (Pain) 2
None 1

Total Revised Trauma Points = 4
GCS 13-15 = 3
9-12 = 2
6-8 = 1
4-5 = 0
3

REVISED TRAUMA SCORE = Total Points A + B + C

2) Each Trauma Region may include other criteria in addition to the Revised Trauma Score in defining a trauma patient and specifying where trauma patients should be transported according to the severity of the injury.

(Source: Amended at 19 Ill. Reg. 13417, effective SEP 15 1995)

Section 540.100 Uniform Reporting Requirements

- a) Each facility shall have available to the Trauma Service use of a Microsoft Micro-Soft Disc Operating System (MS-DOS), IBM Compatible microcomputer with a hard disk (minimum capacity of 10-megabytes) that meets the following minimum standards: 386 microprocessor, two megabytes Random Access Memory (RAM), 40 megabytes hard drive, color monitor and back-up capability. The microcomputer must be available for the Illinois Trauma Registry to operate properly. Additional equipment required is a modem and printer. The Department shall provide Trauma Registry software for use by the facility. This software shall be used for data collection and shall have a provision to prepare electronic media reports to the Department on a quarterly basis.
- b) The facility shall provide the following information on each reportable trauma patient ~~that is admitted to the Trauma Center:~~
- 1) Patient name;
 - 2) Date of birth;
 - 3) Sex;

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- 4) Race;
- 5) ~~Social-Security-Number;~~
- 6) ~~5~~ Home zip code;
- 7) ~~6~~ Location of geographical site where injury occurred;
- 8) ~~7~~ Type of site where injury occurred (i.e., home, school, road, etc.);
- 9) ~~8~~ Mechanism of injury (International Classification of Disease (ICD) 9 E codes - 4 digits);
- 10) ~~9~~ Initial Trauma Triage score (such as the Glasgow Coma Scale) or the Trauma Score ~~may-be-utilized~~;
- 11) ~~6-digit-ambulance-license-number-of-transporting-vehicle;~~
- 12) ~~10~~ Pre-hospital treatment;
- 13) ~~11~~ Trauma triage score upon arrival to hospital;
- 14) ~~12~~ Treatment prior to surgery;
- 15) ~~13~~ Times of:
- A) injury;
- B) start of pre-hospital treatment;
- C) arrival in Emergency Department, and
- D) start of surgery;
- 16) ~~14~~ Trauma score prior to transfer;
- 17) ~~15~~ Method and reason for transfer;
- 18) ~~16~~ Trauma score upon arrival at the next level of care;
- 19) ~~17~~ Treatment prior to surgery/transfer;
- 20) ~~18~~ Surgical procedures;
- 21) ~~19~~ Complications;
- 22) ~~20~~ Abbreviated Injury Score for each injury (Abbreviated Injury Score of the American Association of Automotive Medicine);
- 23) ~~21~~ Injury Severity Score (range from 1 to 75) (I.S.S.);
- 24) ~~22~~ Total hospital stay (subdivided into Intensive Care Unit (ICU) and non-ICU);
- 25) ~~23~~ Patient outcome (died, discharged, transferred, etc.);
- 26) ~~24~~ ICD9 N Code for nature of illness;
- 27) ~~25~~ Method of payment used by patient;
- 28) ~~26~~ Total charges for care provided;
- 29) ~~Total-unreimbursed-care-provided;~~
- 30) ~~27~~ Date of initial injury; and
- 31) ~~28~~ Date injury was identified or diagnosed by health care provider.
- c) Reportable trauma patients
- 1) A reportable trauma patient is one who was involved in a traumatic event and:
- A) was transferred to the trauma center from another trauma center, or
- B) was transferred from the trauma center to another trauma center, or
- C) was admitted to the trauma center as an inpatient, or
- D) was assigned an observation status with disposition outside of the Emergency Department, or

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- E) was dead on arrival (DOA), or
- F) died in the emergency department (DIE), or
- G) signed out against medical advice (AMA).
- 2) A traumatic event is one in which there was a transfer of energy resulting in injury, involving any of the following:
- A) aircraft;
- B) watercraft;
- C) motor vehicles;
- D) railway;
- E) recreational vehicles;
- F) farm machinery;
- G) animals, including bites;
- H) explosion;
- I) falls;
- J) thermal/chemical/radiation injuries;
- K) lightning;
- L) weather related (tornado, flood, blizzard) injuries;
- M) struck by falling object;
- N) sports related;
- O) caught between objects;
- P) cutting or piercing instruments or objects;
- Q) firearms;
- R) electric current;
- S) suicide or self-inflicted injury;
- T) homicide;
- U) injury inflicted by others;
- V) hanging;
- W) strangulation;
- X) inhalation.
- d) Illinois trauma registry reporting schedule
- | Patients Discharged | Report Date |
|---------------------|--------------|
| January - March | June 30 |
| April - June | September 30 |
| July - September | December 31 |
| October - December | March 31 |
- e) Data shall be collected for all trauma patients in the State for each level of Injury Severity Score mean mortality rates, and standard deviations shall be calculated using standard statistical methods. Trauma Centers with mortality rates more than one standard deviation above the mean in three (3) or more ISS levels shall have an in-depth evaluation by the Department prior to renewal of designation. Trauma Centers with mortality rates more than two standard deviations above the mean in any ISS level less than twenty-five (25) shall also be evaluated for compliance with the Act and this part prior to renewal of designation. The Trauma Center's mortality rate shall not

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constitute the sole basis for refusing to renew a trauma center's designation.

d+f) Data collected from individual Trauma Centers shall be cross-referenced with Vital Records Death Certificates to confirm accuracy.

e+g) Annual reports shall be prepared by the Department presenting summary data to allow Trauma Centers and the public to evaluate performance. This data shall have all hospital and patient identifiers removed, and.

f+h) All data received by the Department shall be kept confidential. Patient identifiers shall be kept in such a way to assure that confidentiality is maintained and is not available to the public.

1) All reports and records made pursuant to the Act and maintained by the Department and other appropriate persons, officials and institutions pursuant to the Act shall be confidential. Information shall not be made available to any individual or institution except to:

A) Appropriate staff of the Department;
B) Any person engaged in a bona fide research project, with the permission of the Director of Public Health, except that no information identifying the subjects of the reports or the reporters shall be made available to researchers unless the Department requests and receives consent for such release pursuant to the provisions of this Section; and

C) The council, except that no information identifying the subjects of the reports or the reporters shall be made available to the council unless consent for release is requested and received pursuant to the provisions of this Section. Only information pertaining to Head and Spinal Cord Injuries as defined in Section 1 of "AN-Act in-relation-to-certain-injuries" the Head and Spinal Cord Injury Act (410 ILCS Rev--Stat--1989, ch--111-1/2, par--7851-et-seq.) (410 ILCS 515) shall be released to the council. (Section 3 of "AN-Act in-relation-to-certain-injuries" the Head and Spinal Cord Injury Act)

2) The Department shall not reveal the identity of a patient, physician or hospital, except that the identity of the patient may be released upon written consent of the patient, parent or guardian, the identity of the physician may be released upon written consent of the physician, and the identity of the hospital may be released upon written consent of the hospital. (Section 3 of "AN-Act in-relation-to-certain-injuries" the Head and Spinal Cord Injury Act)

3) The Department shall request consent for release from a patient, a physician or hospital only upon a showing by the applicant for such release that obtaining the identities of certain patients, physicians or hospitals is necessary for his bona fide research directly related to the objectives of the Act. (Section 3 of "AN

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Act-in-relation-to-certain-injuries" the Head and Spinal Cord Injury Act)

g+i) Availability of Registry Information

1) All requests by medical or epidemiologic researchers for confidential registry data must be submitted in writing to the registry. The request must include a study protocol which contains: objectives of the research; rationale for the research, including scientific literature justifying current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians or study subjects; including methods for documenting compliance with 42 CFR 2A, pars. 4 a-j, 6 a-b, 7 a-bl; methods for the processing of data; storage and security measures taken to insure confidentiality of patient identifying information; time frame of the study; a description of the funding source of the study (e.g., Federal Contract); the curriculum vitae of the principal investigator; and a list of collaborators. In addition, the research request must specify what patient or facility identifying information is needed and how the information will be used.

2) All requests to conduct research and modifications to approved research proposals involving the use of data which includes patient or facility identifying information shall be subject to a review to determine compliance with the following conditions:

- A) A request for patient or facility identifying information contains stated goals or objectives.
- B) The request documents the feasibility of the study design in achieving the stated goals and objectives.
- C) The request documents the need for the requested data to achieve the stated goals and objectives.
- D) The requested data can be provided within the timeframe set forth in the request.
- E) The request documents that the researcher has qualifications relevant to the type of research being conducted.
- F) The research will not duplicate other research already underway using the same registry data when both require the contact of a patient, reporting facility or physician about an individual patient involved in the previously approved concurrent research.
- G) Other such conditions relevant to the need for the patient or facility identifying information and the patient's confidentiality rights because the Department will only release the patient, physician in accordance with the provisions of this Section, or facility identifying information which is necessary for the research.

3) Research Agreements-

A) The Department will enter into research contracts for all approved research requests. These contracts shall specify

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exactly what information is being released and how it can be used in accordance with the standards in subsection (c) above. In addition, the researcher shall include an assurance that:

- i) Use of data is restricted to the specifications of the protocol;
- ii) Any and all data which may lead to the identity of any patient, research subject, physician, other person, or hospital is strictly privileged and confidential and agrees to keep all such data strictly confidential at all times;
- iii) All officers, agents and employees will keep all such data strictly confidential, will communicate the requirements of this subsection (i)(3) Section to all officers, agents, and employees, will discipline all persons who may violate the requirements of this subsection (i)(3) Section, and will notify the Department in writing within ~~forty-eight~~ 48 hours after ~~of~~ any violation of this subsection (i)(3) Section, including full details of the violation and corrective actions to be taken;
- iv) All data provided by the Department pursuant to the ~~this~~ contract may only be used for the purposes named in ~~the this~~ contract and that any other or additional use of the data may result in immediate termination of ~~the this~~ contract by the Department;
- v) All data provided by the Department pursuant to the ~~this~~ contract is the sole property of the Department and may not be copied or reproduced in any form or manner and agrees to return all data and all copies and reproduction of the data to the Department upon termination of ~~the this~~ contract.
- B) Any departures from the approved protocol must be submitted in writing and approved by the Director in accordance with subsection (c)(2) above prior to initiation. No patient or facility identifying information may be released by a researcher to a third party.

- 4) The Department shall disclose individual patient or facility information to the reporting facility, which originally supplied that information to the Department, upon written request of the facility.

~~h)1~~ The patient identifying information submitted to the Department by those entities required to submit information under the Act and this Part is to be used in the course of medical study under the Part 21 of Article 8 of the Code of Civil Procedure ~~filed~~ ~~Rev.~~ ~~Stat.~~ ~~1999~~ ~~ch.~~ ~~107~~ ~~par.~~ ~~8-2101~~ [735 ILCS 5]. Therefore, this information is privileged from disclosure by the Part 21 of Article 8 of the Code of Civil Procedure.

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~~h)k~~ The identity of any facility, or any group of facts which tends to lead to the identity, of any person whose condition or treatment is submitted to the Department shall not be open to public inspection or dissemination. Such information shall not be available for disclosure, inspection or copying under the Freedom of Information Act or the State Records Act. All information for specific research purposes may be released in accordance with procedures established by the Department in this Section.

~~h)l~~ Every hospital shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to reportable registry information. The mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital and the Department. The Department shall not require hospitals to provide information on cases which are dated more than two years before the Department's request for further information.

~~h)u~~ Every hospital shall provide access to information regarding specified patients or other patients specified for research studies, related to reportable registry information, conducted by the ~~Department~~ Department. Any disputes as to access shall be resolved by the hospital and the Department within 30 days after requests for access have been denied.

(Source: Amended SEP 15 1995 19 Ill. Reg. 13417, effective

Section 540.120 Renewal of Designation

All requests for renewal of Trauma Center Designations shall be filed in writing with the Department ~~at least sixty~~ ~~60~~ days before the designation expiration date. If the renewal request meets the requirements of this Section, the existing designation shall continue in full force and effect until a final Department decision on the renewal request has been issued.

(Source: Amended SEP 15 1995 19 Ill. Reg. 13417, effective

Section 540.130 Inspections and Investigations

The Department shall conduct a site visit to inspect the facilities of all applicants, both initial and renewed, for compliance with this Part. A report of the inspection shall be provided to the Director within 30 days after the site-visit. Within 30 days of receipt of the inspection report, the Director may accept or reject the plan for designation based upon the findings and recommendations of such report and other relevant information including any comments provided by the State Emergency Medical Services Council and local health authorities, ~~and Area Hospital--Emergency--Services--Committee.~~ (Section 29(b) of the Act.)

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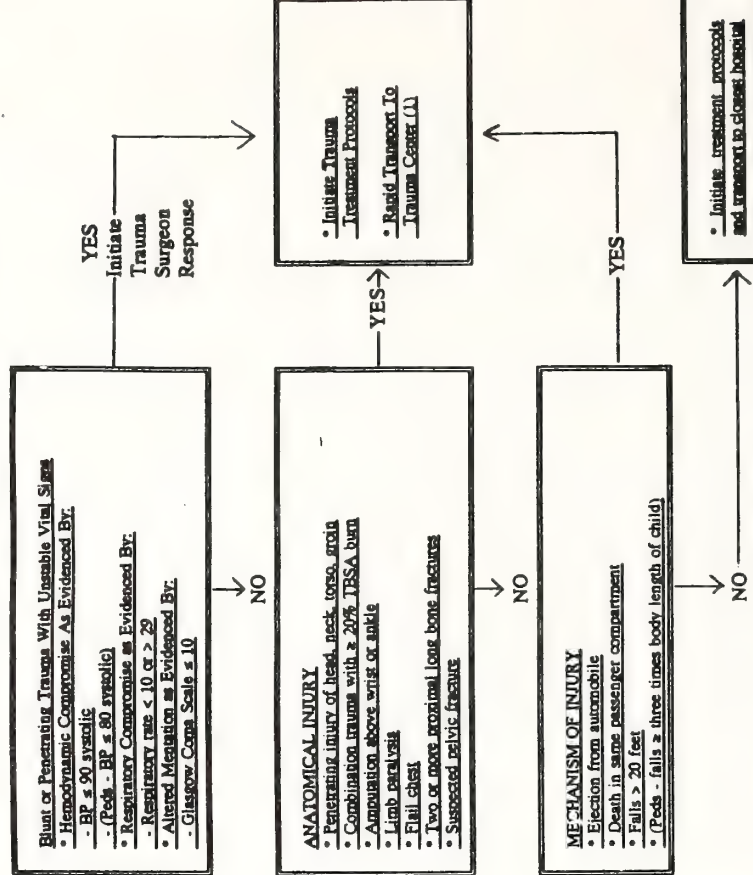
13417

(Source: Attended at 19 Ill. Reg. effective SEP 15 1995)

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Section 540.APPENDIX B Minimum Trauma Field Triage Criteria



- (1) > 25 minutes from Trauma Center, transport to nearest affiliate trauma hospital.
- > 30 minutes from Trauma Center or affiliate trauma hospital, transport to nearest hospital.

Adapted from Trauma Care System Guidelines, ACEP, 1992, and Resources for Optimal Care of the Injured Patient, ACS, 1993. It is expected that each Region will expand upon this minimal triage set based on individual

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assessments, resources, and outcomes.

(Source: Added at 19 Ill. Reg. 13417, effective
SEP 15 1995)

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1) Heading of the Part: Retailers' Occupation Tax2) Code Citation: 86 Ill. Adm. Code 1303) Section Numbers: Proposed Action:130.2007
Amendment4) Statutory Authority: 35 ILCS 120/1 et seq., par.5) Effective Date of Amendment(s): September 12, 19956) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) Date Filed in Agency's Principal Office: September 12, 19959) Notice of Proposal Published in Illinois Register:

April 7, 1995, 19 Ill. Reg. 5240.

10) Has JCAR issued a Statement of Objections to these Amendments?
No11) Differences between proposal and final version: None12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this amendment replace an emergency amendment currently in effect? No14) Are there any amendments pending on this Part? YesSection NumbersProposed ActionIL Register Citation

130.501	Amendment	10/14/95, 18 Ill. Reg 15383
130.502	Amendment	10/14/95, 18 Ill. Reg 15383
130.510	Amendment	10/14/95, 18 Ill. Reg 15383
130.540	Amendment	10/14/95, 18 Ill. Reg 15383
130.331	Amendment	1/20/95, 18 Ill. Reg 571

15) Summary and Purpose of Amendment(s): Amended Section 130.2007 amends the Department's rule concerning the Retailers' Occupation Tax Act to provide that religious organizations need not submit a financial statement with the initial application for an exemption identification number.

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16) Information and questions regarding this adopted amendment shall be directed to:

Gina Roccaforte
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-6996

The full text of the Adopted Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 130

RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section

130.101 Character and Rate of Tax
130.105 Responsibility of Trustees, Receivers, Executors or Administrators
130.110 Occasional Sales
130.111 Sale of Used Motor Vehicles by Leasing or Rental Business
130.115 Habitual Sales
130.120 Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section

130.201 The Test of a Sale at Retail
130.205 Sales for Transfer Incident to Service
130.210 Sales of Tangible Personal Property to Purchasers for Resale
130.215 Further Illustrations
130.220 Sales to Lessors of Tangible Personal Property

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section

130.305 Farm Machinery and Equipment
130.310 Food, Drugs, Medicines and Medical Appliances
130.315 Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.320 Gasohol
130.321 Fuel Used by Air Common Carriers in International Flights
130.325 Graphic Arts Machinery and Equipment Exemption
130.330 Manufacturing Machinery and Equipment
130.335 Pollution Control Facilities
130.340 Rolling Stock
130.345 Oil Field Exploration, Drilling and Production Equipment
130.350 Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment

SUBPART D: GROSS RECEIPTS

Section

130.401 Meaning of Gross Receipts
130.405 How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.410 Cost of Doing Business Not Deductible

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130.415 Transportation and Delivery Charges
130.420 Finance or Interest Charges--Penalties--Discounts
130.425 Traded-In Property
130.430 Deposit or Prepayment on Purchase Price
130.435 State and Local Taxes Other Than Retailers' Occupation Tax
130.440 Penalties
130.445 Federal Taxes
130.450 Installation, Alteration and Special Service Charges
130.455 Motor Vehicle Leasing and Trade-In Allowances

SUBPART E: RETURNS

Section
130.501 Monthly Tax Returns--When Due--Contents
130.502 Quarterly Tax Returns
130.505 Returns and How to Prepare
130.510 Annual Tax Returns
130.515 First Return
130.520 Final Returns When Business is Discontinued
130.525 Who May Sign Returns
130.530 Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.535 Payment of the Tax, Including Quarter Monthly Payments in Certain Instances
130.540 Returns on a Transaction by Transaction Basis
130.545 Registrants Must File a Return for Every Return Period
130.550 Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551 Prepayment of Retailers' Occupation Tax on Motor Fuel
130.555 Vending Machine Information Returns
130.560 Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section
130.601 Preliminary Comments
130.605 Sales of Property Originating in Illinois
130.610 Sales of Property Originating in Other States

SUBPART G: CERTIFICATE OF REGISTRATION

Section
130.701 General Information on Obtaining a Certificate of Registration
130.705 Procedure in Disputed Cases Involving Financial Responsibility Requirements
130.710 Procedure When Security Must be Forfeited
130.715 Sub-Certificates of Registration
130.720 Separate Registrations for Different Places of Business of Same

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130.725 Taxpayer Under Some Circumstances Display
130.730 Replacement of Certificate
130.735 Certificate Not Transferable
130.740 Certificate Required For Mobile Vending Units
130.745 Revocation of Certificate

SUBPART H: BOOKS AND RECORDS

Section
130.801 General Requirements
130.805 What Records Constitute Minimum Requirement
130.810 Records Required to Support Deductions
130.815 Preservation and Retention of Records
130.820 Preservation of Books During Pendency of Assessment Proceedings
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

Section
130.901 Civil Penalties
130.905 Interest
130.910 Criminal Penalties

SUBPART J: BINDING OPINIONS

Section
130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section
130.1101 Definition of Federal Area
130.1105 When Deliveries on Federal Areas Are Taxable
130.1110 No Distinction Between Deliveries on Federal Areas and Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section
130.1201 General Information
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section
130.1301 When Lessee of Premises Must File Return for Leased Department

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130.1305 When Lessor of Premises Should File Return for Leased Department
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART N: SALES FOR RESALE

Section
130.1401 Seller's Responsibility to Determine the Character of the Sale at
the Time of the Sale
130.1405 Seller's Responsibility to Obtain Certificates of Resale and
Requirements for Certificates of Resale
130.1410 Requirements for Certificates of Resale (Repealed)
130.1415 Resale Number--When Required and How Obtained
130.1420 Blanket Certificate of Resale (Repealed)

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
130.1501 Claims for Credit--Limitations--Procedure
130.1505 Disposition of Credit Memoranda by Holders Thereof
130.1510 Refunds
130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON
SELLING OUT OR DISCONTINUING BUSINESS

Section
130.1601 When Returns are Required After a Business is Discontinued
130.1605 When Returns are Not Required After Discontinuation of a Business
130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section
130.1701 Bulk Sales: Notices of Sales of Business Assets

SUBPART R: POWER OF ATTORNEY

Section
130.1801 When Powers of Attorney May be Given
130.1805 Filing of Power of Attorney With Department
130.1810 Filing of Papers by Agent Under Power of Attorney

SUBPART S: SPECIFIC APPLICATIONS

Section
130.1901 Addition Agents to Plating Baths
130.1905 Agricultural Producers
130.1910 Antiques, Coins, Art Work, Collectors' Coins, Collectors' Postage

Stamps and Like Articles
Auctioneers and Agents
Barbers and Beauty Shop Operators
Blacksmiths
Chiroprodists, Osteopaths and Chiropractors
Computer Software
Construction Contractors and Real Estate Developers
Co-Operative Associations
Dentists
Enterprise Zones
Farm Chemicals
Finance Companies and Other Lending Agencies - Installment Contracts
- Repossessions
Florists and Nurserymen
Hatcheries
Operators of Games of Chance and Their Suppliers
Optometrists and Opticians
Pawnbrokers
Peddlers, Hawkers and Itinerant Vendors
Personalizing Tangible Personal Property
Persons Engaged in the Printing, Graphic Arts or Related
Occupations, and Their Suppliers
Persons Engaged in Nonprofit Service Enterprises and in Similar
Enterprises Operated As Businesses, and Suppliers of Such Persons
Sales by Teacher-Sponsored Student Organizations
Exemption Identification Numbers
Sales by Nonprofit Service Enterprises
Persons Who Rent or Lease the Use of Tangible Personal Property to
Others
Persons Who Repair or Otherwise Service Tangible Personal Property
Physicians and Surgeons
Picture-Framers
Public Amusement Places
Registered Pharmacists and Druggists
Retailers of Clothing
Retailers on Premises of the Illinois State Fair, County Fairs, Art
Shows, Flea Markets and the Like
Sales and Gifts By Employers to Employees
Sales by Governmental Bodies
Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
Sales of Automobiles for Use In Demonstration
Sales of Containers, Wrapping and Packing Materials and Related
Products
Sales To Construction Contractors, Real Estate Developers and
Speculative Builders
Sales to Governmental Bodies, Foreign Diplomats and Consular
Personnel
Sales to or by Banks, Savings and Loan Associations and Credit

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130.2085

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Unions

130.2090 Sales to Railroad Companies
130.2095 Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100 Sellers of Feeds and Breeding Livestock
130.2105 Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph Records and Their Suppliers
130.2110 Sellers of Seeds and Fertilizer
130.2115 Sellers of Machinery, Tools and the Like
130.2120 Suppliers of Persons Engaged in Service Occupations and Professions
130.2125 Trading Stamps and Discount Coupons
130.2130 Undertakers and Funeral Directors
130.2135 Vending Machines
130.2140 Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order
130.2145 Vendors of Meals
130.2150 Vendors of Memorial Stones and Monuments
130.2155 Vendors of Signs
130.2156 Vendors of Steam
130.2160 Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
130.2165 Veterinarians
130.2170 Warehousemen

ILLUSTRATION A: Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 39b3 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b3].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 13284, effective October 27, 1987; amended at 11 Ill. Reg. 18767,

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effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective September 2, 1995; amended at 19 Ill. Reg. 13446, effective September 2, 1995.

SUBPART S: SPECIFIC APPLICATIONS

Section 130.2007 Exemption Identification Numbers

a) Tax-exempt Purchases

On and after July 1, 1987, an entity which would otherwise qualify for tax-exempt status on its purchases of tangible personal property for use or consumption (refer to Section 130.2005 and Section 130.2080) cannot make tax-free purchases unless it has an active exemption identification number issued by the Department.

b) Application for Exemption Identification Numbers--Requirements

An entity seeking exemption from sales tax should furnish the Department with the following:

- 1) If incorporated, copy of Articles of Incorporation.
- 2) If unincorporated, copy of organization's Constitution.
- 3) Copy of By-laws.
- 4) A narrative explaining purposes, functions and activities of the organization.
- 5) Copy of Internal Revenue Service (I.R.S.) letter, respecting federal tax-exempt status, if organization has one.
- 6) Copy of brochures or other printed material explaining the purposes, functions and activities of the organization.
- 7) Copy of most recent financial statement (religious organizations need not submit a financial statement with the initial application).
- 8) Any other information which reflects the purposes, functions and activities of the organization.
- 9) Determination

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The information noted in subsection (b), above, enables the Department to determine the status of an organization for sales tax purposes (refer to Section 130.2005).

- d) Exempt Entities with Multiple Subsidiaries, Issuance of Number
The Department, in its sole discretion, may issue to a tax-exempt organization with more than 50 subsidiaries operating in Illinois, one exemption identification number for the use of the Parent Organization and each of its subsidiary organizations. (Section 1g of the Act.)
 The Department will consider the size, uniformity, structure, and purposes of the organization as well as administrative burdens of the Department and the applicants.

(Source: **SEP 12 1995** 19 Ill. Reg. **13446**, effective _____)

SECRETARY OF STATE
MERIT COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Merit Commission
- 2) Code Citation: 2 Ill. Adm. Code 555
- 3) Section Numbers: Adopted Action:
555.210 Amendment
555.Table A Amendment
- 4) Statutory Authority: 15 ILCS 310/8c
- 5) Effective Date of Rulemaking: September 12, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 11, 1995
- 9) Notice of Proposal Published in Illinois Register: N/A, Internal Rule
- 10) Has JCAR issued a Statement of Objections to these rules? No, Internal Rule.
- 11) Difference(s) between proposal and final version: N/A, Internal Rule.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A, Internal Rule.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: To bring rules into compliance with PA 89-375
- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Larry K. Gehman
 Address: 630 S. College
 Springfield, Illinois 62707
 Telephone: (217) 546-9162

The full text of the Adopted Amendment begins on the next page:

SECRETARY OF STATE
MERIT COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE C: CONSTITUTIONAL OFFICERS
CHAPTER III: SECRETARY OF STATE

PART 555
MERIT COMMISSION
PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
555.10 Public Information

SUBPART B: RULEMAKING

Section
555.110 Rulemaking

SUBPART C: ORGANIZATION

Section
555.210 Organization of the Merit Commission

TABLE A Organization Chart

AUTHORITY: Implementing and authorized by Section 5-15 of the Illinois Administrative Procedure Act (5 ILCS 100/5-15)

SOURCE: Adopted at 7 Ill. Reg. 17497, effective January 1, 1984; codified at 8 Ill. Reg. 12487; amended at 8 Ill. Reg. 18516, effective October 1, 1984; amended at 19 Ill. Reg. 13456, effective SEP 12 1995.

SUBPART C: ORGANIZATION

Section 555.210 Organization of the Merit Commission

The Commission consists of five (5) ~~three-(3)~~ members, the Chairman and four (4) ~~two-(2)~~ commissioners, who are appointed by the Secretary of State with the advice and consent of the Senate. The administrative head of the Commission is the Executive Secretary who reports directly to the five (5) ~~three-(3)~~ members. Support staff may consist of technical advisors, hearing officers, personnel technicians, clerks, or other employees as may be necessary to carry out the provisions of the Merit Employment Code [15 ILCS 310] ~~with--Rev--State--1981~~ chv--124--para--1001-et-seq-- in exercising the powers and performing the duties conferred by law upon the Commissioners. These employees are directly accountable to the Executive Secretary. (See Table A).

SECRETARY OF STATE
MERIT COMMISSION

NOTICE OF ADOPTED AMENDMENTS

(Source: SEP 12 1995, 19 Ill. Reg. 13456, effective)

SECRETARY OF STATE
MERIT COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Section 555.TABLE A Organization Chart

Chairman
Commissioners (4) Commissioner
Commissioner

Executive Secretary

Staff

(Source: Amended at 19 Ill. Reg. 13456, effective SEP 12 1995)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF EMERGENCY AMENDMENT(S)

- 1) Heading of the Part: Private Detective, Private Alarm and Private Security Act of 1993
- 2) Code Citation: 68 Ill. Adm. Code 1240
- 3) Section Numbers: Emergency Action:
1240.10 Amendment
1240.15 Amendment
1240.16 Amendment
1240.40 Amendment
1240.46 Amendment
- 4) Statutory Authority: Section 50 of the Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 446/50]
- 5) Effective Date of Amendments: September 8, 1995
- 6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they will expire: These emergency amendments are to expire when the proposed amendments are adopted.
- 7) Date Filed in Agency's Principal Office: September 8, 1995.
- 8) Reason for Emergency: The Department of Professional Regulation utilizes the fingerprint process of the Illinois State Police for persons making application for licensure and/or registration under the Private Detective, Private Alarm and Private Security Act of 1993. The Illinois State Police will no longer accept fingerprint cards for Illinois residents from the Department after September 30, 1995. Effective October 1, 1995, applicants will be required to obtain fingerprints and pay the required processing fee to the Illinois State Police or its designated agent rather than to the Department. In order to continue processing applications under this Act, the Department must have rules in place to provide for the new fingerprint application process. Not to do so would cause a threat to the public interest by further delaying the licensure of private detectives, private security contractors, private alarm contractors and security guards who are otherwise qualified for employment in these professions.
- 9) A Complete Description of the Subjects and Issues Involved: Beginning October 1, 1995, fingerprint cards and the fingerprint processing fee required for licensure no longer will be submitted to or accepted by the Department of Professional Regulation from Illinois residents. Applicants will be required to contact the Illinois Department of State Police, or its designated agent, to schedule a fingerprint appointment. Verification of fingerprint screening will be submitted directly to the Department from

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF EMERGENCY AMENDMENT(S)

the Illinois State Police. Applicants not residing in Illinois may submit fingerprint cards and the fingerprint processing fee to the Department.

- 10) Are there any proposed Amendments to this Part pending: No
- 11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.

- 12) Information and questions regarding these Rules shall be directed to:

Department of Professional Regulation
 Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786
 217/785-0810 Fax #: 217/782-7645

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF EMERGENCY AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1240

PRIVATE DETECTIVE, PRIVATE ALARM AND
 PRIVATE SECURITY ACT OF 1993

Section	
1240.5	Licensure Under Section 6 of the Act (Repealed)
1240.7	Exemptions Under Section 30 of the Act
1240.10	Application for Examination and Licensure - Private Detective and Private Security Contractor
<u>EMERGENCY</u>	
1240.15	Application for Examination and Licensure - Private Alarm Contractor
<u>EMERGENCY</u>	
1240.16	Registration of Proprietary Security Force
<u>EMERGENCY</u>	
1240.20	20-Hour Basic Training Course - General
1240.25	20-Hour Basic Training Course - Security Guards and Alarm Runners
1240.30	Firearm Training Course
1240.35	Approval of Training Programs and Instructors
1240.40	Permanent Employee Registration Cards
<u>EMERGENCY</u>	
1240.41	Refusal to Issue Employee Registration Card or Firearm Authorization Card Due to Criminal History Record Information
1240.45	Firearm Authorization Cards
1240.46	Recordkeeping Requirements
<u>EMERGENCY</u>	
1240.47	Reporting Requirements
1240.48	Uniforms
1240.50	Renewals
1240.51	Requests for Duplicate Certificates
1240.55	Endorsement
1240.60	Restoration
1240.65	Conduct of Hearings
1240.66	Investigation by the Department
1240.70	Granting Variances

AUTHORITY: Implementing the Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 446] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Detective Act, effective October 7, 1975; amended at 4 Ill. Reg. 22, p. 251, effective May 15, 1980; codified at 5 Ill. Reg. 11032; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF EMERGENCY AMENDMENT(S)

~~fingerprints--cards--issued--by--the--Illinois--Department--of--State Police--and--it--see--of--fingerprints--cards--issued--by--the--Federal Bureau--of--Investigation--accompanied--by--the--specified--processing fee--pursuant--to--Section--105(d)(1)(3)--of--the--Act--or~~

2) Verification, on forms provided by the Department, of full-time employment as a police officer, in lieu of fingerprints.

~~fingerprints--cards.~~ Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers;

3) 2 photographs 1" x 1", taken within the 3 months preceding application;

4) Proof of at least \$1,000,000 of liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and

5) The required fee(s) specified in Section 105 of the Act.

A successful examination score shall be valid for 6 years. After 6 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.

13460, effective
(Source: Emergency amendment at 19 Ill. Reg. September 8, 1995, for a maximum of 150 days)

Section 1240.15 Application for Examination and Licensure - Private Alarm Contractor
~~EMERGENCY~~

- a) An individual seeking licensure by examination as a private alarm contractor shall make application to the Department, on forms provided by the Department, at least 60 days prior to the examination. The application shall include proof acceptable to the Department that the applicant has fulfilled the required experience specified in Section 70(c) of the Act. To determine such fulfillment, the following standards shall be applied:
- 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
 - 2) Applicants qualified to sit for the examination pursuant to Section 75(c) of the Act shall have private alarm experience which shall include, but not be limited to:
 - A) Private alarm contractor experience as defined in Section

DEPARTMENT OF PROFESSIONAL REGULATION
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Reg. 8208, effective July 15, 1982; emergency amendment at 8 Ill. Reg. 903, effective January 6, 1984, for a maximum of 150 days; Part repealed and new part adopted at 9 Ill. Reg. 18512, effective November 15, 1985; transferred from Chapter I, 68 Ill. Adm. Code 240 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1240 (Department of Professional Regulation) pursuant to P.A. 85-225, effective November 18, 1988; amended at 15 Ill. Reg. 3051, effective February 11, 1991; amended at 17 Ill. Reg. 1579, effective January 26, 1993; amended at 19 Ill. Reg. 954, effective January 17, 1995; amended at 19 Ill. Reg. 11473, effective July 28, 1995; emergency amendment at 19 Ill. Reg. 13460, effective September 8, 1995, for a maximum of 150 days.

Section 1240.10 Application for Examination and Licensure - Private Detective and Private Security Contractor
~~EMERGENCY~~

- a) Applications for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of the examination.
- b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 75(a)(7) of the Act. To determine such fulfillment, the following standards shall be applied:
- 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
 - 2) "Full-time supervisor in a law enforcement agency" shall mean a sworn peace officer serving in a full-time position responsible for the direction and performance of other law enforcement personnel.
 - 3) "Investigator in a law enforcement agency" shall mean a sworn peace officer who serves in the capacity of a full time detective/investigator or above rank.
 - c) The passing grade on the examination is 70 or above.
 - d) Upon notification of successful completion of the examination, the applicant may apply to the Department for licensure. The application must be complete and must be accompanied by:
 - 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or a set of

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fingerprints on file with the Department, additional fingerprints fingerprints are not required; or

- B) Verification, on forms, provided by the Department, of full-time employment as a peace officer in lieu of the fingerprints fingerprints. Such verification shall be signed by his/her employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws and individuals holding a Class I or Class II Occupational License issued by the Illinois Gaming Board shall be considered peace officers;
- 2) Verification that the employee has completed the training required in subsection (b) above. If the employee's firearm training was completed more than two years before the request for a firearm authorization card, the employer shall submit evidence that the employee has requalified on the firing range within the one year preceding the request; and
- 3) The fee required in Section 105(d)(17) of the Act, and
- 4) The required fingerprint processing fee, if applicable.
- d) The firearm authorization card shall be retained by the employee for the term of employment. Upon termination of employment, the card shall be returned to the Department by the employer. In the event an employee fails to return a firearm authorization card to the employer, the employer shall notify the Department in writing why the card was not returned.
- e) No employee shall carry a firearm until the requirements of this Section have been satisfied.
- f) If an employee is employed by more than one proprietary security force, that employee must possess a separate firearm authorization card for each force which issues him/her a weapon.
- g) The Department may conduct an inspection to verify the information on the application prior to the proprietary security force being registered with the Department.
- h) All armored car companies registered as proprietary security forces pursuant to this Section shall have all employees who are required to carry a firearm authorization card to complete classroom and range training in weapons on an annual basis and shall maintain a current criminal background check in each employee's file as well as a training certificate. The armored car company shall make these documents available to the Department upon request.

'Source: Emergency amendment at 19 Ill. Reg. 12460, effective

DEPARTMENT OF PROFESSIONAL REGULATION

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September 8, 1995, for a maximum of 150 days)

Section 1240.40 Permanent Employee Registration Cards EMERGENCY

- a) Any person seeking employee registration under Section 80 of the Act shall file an application with the Department, on forms provided by the Department, along with the following:
- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; 1--set--of fingerprint cards issued by the Illinois Department of State Police--and--1--set--of fingerprint cards issued by the Federal Bureau of Investigation; or
 - 2) Verification, on forms provided by the Department, of full-time employment as a peace officer in lieu of fingerprints fingerprints cards. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses and has satisfied the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers;
 - 3) One 1" x 1" photograph taken within the 3 months preceding application; and
 - 4) The required fingerprint processing fees; and
- 1)5) The required registration fee specified in Section 105 of the Act, made payable to the Department of Professional Regulation.
- b) The application, verification of fingerprint processing and the registration fee shall be submitted to the Department prior to the applicant being scheduled to work.
- c) If no record is found affecting the prints, the Department shall issue, to the applicant, a permanent employee registration card, which shall be valid for the period specified on the face of the card, and shall be renewable upon the conditions set forth in Section 1240.50 of this Part.
- d) The employee registration card shall serve as proof to an employer that the bearer thereof is eligible for employment.

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ed) Persons who have no access to confidential or security information and who do not provide security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, ticket takers, elevator operators and reception personnel who have no access to confidential or security information. Confidential or security information is that which pertains to employee files, scheduling contracts or technical data.

(Source: Emergency amendment at 19 Ill. Reg. 13460, effective September 8, 1995, for a maximum of 150 days)

Section 1240.46 Recordkeeping Requirements
EMERGENCY

- a) Each employer licensed under the Act shall maintain a file on each employee pursuant to Section 80 of the Act. The employee file shall be maintained by the agency for 2 years after termination of the employee, shall be accessible to duly authorized representatives of the Department within 24 hours prior notice, and shall contain the following information:
 - 1) A photograph of the employee taken within 10 days of the date the employee commences employment. The photo shall be replaced each 3 calendar years;
 - 2) The employee's statement required in Section 80(b) of the Act;
 - 3) All correspondence or documents related to the character and integrity of the employee received by the employer from an official source or law enforcement;
 - 4) The employee identification card of a terminated employee pursuant to Section 80(h);
 - 5) A copy of the weapons discharge report, if applicable, during the course of the employee's duties or activities;
 - 6) Application for employment;
 - 7) Certification of Completion of Basic Training as provided in Sections 1240.20 and 1240.25 of this Part;
 - 8) Certificate of Firearm Training, if applicable (or notarized copy as provided in Section 1240.30 of this Part) verified by the licensee in charge;
 - 9) Copy of employee's Permanent Employee Registration Card and Firearm Authorization Card and active Firearm Owner's Identification Card (FOID), if applicable; **and**
 - 10) Certification or certified copy of requalification- (Section 1240.30); and
 - 11) Copy of the verification of fingerprint processing from the Illinois Department of State Police or its designated agent.
- b) Private alarm contractors who provide monitoring services shall maintain a separate roster of the names of all licensed agencies and/or individuals, including license number, from whom they accept

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monitoring contracts or assignments. The roster shall be made available to the Department upon 24 hour notice. It shall be considered unprofessional conduct, subject to discipline by the Department, for a licensed alarm contractor or agency to accept monitoring contracts or assignments from an unlicensed entity.

(Source: Emergency amendment at 19 Ill. Reg. 13460, effective September 8, 1995, for a maximum of 150 days)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 5, 1995 through September 11, 1995 and have been scheduled for review by the Committee at its October 17, 1995 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
10/19/95	Commissioner of Savings and Finance, Savings Bank Act (38 Ill Adm Code 1075)	7/14/95 19 Ill Reg 9391	10/17/95
10/19/95	Department of Corrections, Health Care (20 Ill Adm Code 415)	7/7/95 19 Ill Reg 8853	10/17/95
10/19/95	Department of Insurance, Cost Containment Form and Data Reporting Requirements (50 Ill Adm Code 6602)	6/30/95 19 Ill Reg 8479	10/17/95
10/19/95	Department of Insurance, Repeal of Transitional Requirements for the Conversion of Medicare Supplement Insurance Benefits and Premiums to Conform to Medicare Program Revisions (50 Ill Adm Code 2011)	6/23/95 19 Ill Reg 8032	10/17/95
10/20/95	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	7/14/95 19 Ill Reg 9386	10/17/95
10/20/95	Department of Public Aid, Practice in Administrative Hearings (89 Ill Adm Code 104)	7/14/95 19 Ill Reg 3389	10/17/95
10/20/95	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	7/21/95 19 Ill Reg 10390	10/17/95

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

Date	Subject	Date	Ill Reg
10/20/95	Department of Transportation, Repeal of Minority Contractors (44 Ill Adm Code 645)	7/14/95 19 Ill Reg 9393	10/17/95
10/20/95	Department of Transportation, Highway Construction by Contract (44 Ill Adm Code 675)	7/21/95 19 Ill Reg 10446	10/17/95
10/20/95	Department of Transportation, Railroad Maintenance by Contract (44 Ill Adm Code 655)	7/21/95 19 Ill Reg 10450	10/17/95
10/20/95	Department of Natural Resources, White-Tailed Deer Hunting Season by Use of Handguns (17 Ill Adm Code 680)	7/14/95 19 Ill Reg 3370	10/17/95
10/21/95	Department of State Police, Exempt Conversation Procedures (20 Ill Adm Code 1296)	6/2/95 19 Ill Reg 7329	10/17/95
10/21/95	Department of Rehabilitation Services, Non-Academic Programs and Policies (89 Ill Adm Code 830)	6/2/95 19 Ill Reg 7312	10/17/95

PROCLAMATIONS

95-419

ILLINOIS JUDICIAL COUNCIL DAY

Whereas, the Illinois Judicial Council is primarily comprised of our state's African-American and Hispanic judges and judicial officers; and
 Whereas, many more African-American judges have been given the opportunity to be elected to the bench in Cook County as a result of the signing of the judicial redistricting bill; and

Whereas, the council takes part in many charitable and philanthropic activities to assist the less fortunate individuals in our communities; and
 Whereas, the Illinois Judicial Council has "adopted" a Chicago Housing Authority building. The council provides the residents with food and toys at Christmas, maintains a library in the building, and occasionally visits residents; and

Whereas, the council has demonstrated a commitment to education. It operates a speakers bureau for schools, cosponsors a high school Law Day program with the Cook County Bar Association, and awards scholarships to law students; and

Whereas, the Illinois Judicial Council is holding its Annual Awards and Installation Banquet September 22, 1995, at the Palmer House Hilton Hotel in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 22, 1995, as ILLINOIS JUDICIAL COUNCIL DAY in Illinois and commend the council on its efforts to improve the quality of life for our citizens.

Issued by the Governor August 21, 1995.

Filed by the Secretary of State August 30, 1995.

95-420

MORTON HIGH SCHOOL BAND

AS REPRESENTATIVES OF THE STATE OF ILLINOIS

Whereas, the Morton High School Band has been selected to represent the State of Illinois in an American Musical Salute to Austria celebrating Austria's millennium celebration June 10, 1996, through June 21, 1996; and
 Whereas, the Jazz Band, under the director of Ronald Hornish, was selected on the basis of excellent recommendations from superior performance ratings and past competition results; and

Whereas, this honor recognizes the talent of this group and exemplifies the dedication of the students and their instructor to excellence in music education and performance; and

Whereas, the American Musical Salute to Austria and Graz Jazz Festival is organized to honor Austria's rich musical and cultural heritage during their 1,000th anniversary; and

Whereas, it is fitting and proper to bring special recognition to this outstanding group of Illinoisans;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim MORTON HIGH SCHOOL BAND as representatives of the State of Illinois at this celebration.

Issued by the Governor August 21, 1995.

Filed by the Secretary of State August 30, 1995.

95-421

SECA KICKOFF DAY

Whereas, the State and University Employees Combined Appeal (SECA) is an annual charity drive directed toward the employees of the State of Illinois; and

Whereas, SECA represents 16 charitable organizations that provide a wide range of health and human services to communities across Illinois; and

Whereas, the establishment of SECA eliminated multiple appeals to state employees and reduced administrative expenses by consolidating fund-raising efforts; and

Whereas, the employees of the State of Illinois have demonstrated their generosity and concern for others by giving unselfishly to SECA charities for the last several years; and

Whereas, employees of the State of Illinois will again be able to offer their support to SECA during the combined appeal that will run from mid-September through mid-November of this year;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 18, 1995, as SECA KICKOFF DAY in Illinois and urge the employees of the State of Illinois to continue their generous tradition of contributing to the charitable organizations represented by SECA.

Issued by the Governor August 21, 1995.

Filed by the Secretary of State August 30, 1995.

95-422

CERTIFIED PROFESSIONAL SECRETARIES MONTH

Whereas, the Certified Professional Secretaries (CPS) rating is one of the highest honors attainable in the secretarial profession. Professionals in government, business, and industry recognize that secretaries who have such a rating can be of valuable service to them; and

Whereas, to obtain the certification, secretaries must satisfactorily demonstrate their judgment, understanding, and administrative capabilities in an examination administered by the Institute for Certifying Secretaries; and

Whereas, certified secretaries possess knowledge and skill in business, relationships, business and public policy, economics, management, communication, decision-making, financial analysis, and office procedures; and

Whereas, the CPS rating has been awarded to more than 40,000 secretaries in our nation, nearly 2,000 of whom live in Illinois. Our state ranks fourth in the United States in the number of CPS-rated individuals;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1995 as CERTIFIED PROFESSIONAL SECRETARIES MONTH in Illinois and extend congratulations to secretaries who have earned this distinguished rating and to those striving for the honor.

Issued by the Governor August 22, 1995.

Filed by the Secretary of State August 30, 1995.

95-423

HELP RETARDED CITIZENS DAYS

Whereas, members of the Illinois State Council of the Knights of Columbus will conduct their 27th annual fund drive October 20-21 to benefit our mentally

retarded citizens. Last fall, the Knights raised more than \$1.65 million, which were distributed to more than 300 organizations devoted to assisting individuals with mental handicaps; and

Whereas, the Illinois State Council of the Knights of Columbus has provided funds and personal assistance to allow youngsters to participate in the local and statewide Special Olympics programs; and

Whereas, the Illinois State Council has provided more than \$2.5 million to build or reconstruct more than 20 homes for the mentally retarded in all six dioceses of Illinois; and

Whereas, since the Illinois State Council of the Knights of Columbus initiated this program, 43 other states have activated similar campaigns to provide much needed financial assistance for the mentally retarded;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 20-21, 1995, as HELP RETARDED CITIZENS DAYS in Illinois and commend the Knights of Columbus for its generous efforts.

Issued by the Governor August 22, 1995.

Filed by the Secretary of State August 30, 1995.

95-424

JANE ADDAMS HULL HOUSE ASSOCIATION MONTH

Whereas, Jane Addams Hull House Association is a non-profit organization that provides programs that encourage people to become self-reliant; and

Whereas, programs offered by the Hull House Association include literacy, day care, job training and placement, foster care, family counseling, battered women and children counseling, and independent living programs; and

Whereas, the Hull House Association was founded because of the dedication and efforts of Jane Addams, the first American woman to win the Nobel Peace Prize; and

Whereas, the Hull House Association is proud of many "firsts," which include the first Chicago program to train welfare recipients as day-care home providers, the first infant care facility in a Chicago high school, the first on-site emergency medical care team in a Chicago public housing development; and

Whereas, the Hull House Association will sponsor a variety of events during September in honor of the original opening of the Hull House on September 18, 1889, and of Jane Addams' birthday, which was September 6, 1860;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September, 1995, as JANE ADDAMS HULL HOUSE ASSOCIATION MONTH in Illinois in honor of Jane Addams, her accomplishments, and the contributions of her organization.

Issued by the Governor August 22, 1995.

Filed by the Secretary of State August 30, 1995.

95-425

ZION HILL MISSIONARY BAPTIST CHURCH DAY

Whereas, in August 1925, a group of Christians formed the Zion Hill Missionary Baptist Church to meet the growing needs of a larger community; and

Whereas, Zion Hill has progressed from a makeshift apartment meeting area into a regular meeting facility and permanent church on the south side of Chicago; and

Whereas, the church community has been blessed with many gifted leaders throughout its history who furthered the vision of Zion Hill through such spiritual leadership as Sunday schooling, Pastoral Teaching Ministry, and Christian Ministry in Human Services Programs; and

Whereas, the Zion Hill Christian Academy was established, offering a quality education in a Christian environment, complemented by such programs as the Ministry Acclaiming Jesus Outreach and "The Bridge Ministry", which attempts to renew and strengthen members' relationships with Jesus Christ; and

Whereas, the current theme, "Growing Up and Going Out - Through a Victorious Church" underscores the triumphs of the past and hopes of the future as the church continues to grow and reach out to the community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 24, 1995, as ZION HILL MISSIONARY BAPTIST CHURCH DAY in Illinois in honor of the church, its rich history, and its valuable contributions to our citizens.

Issued by the Governor August 22, 1995.

Filed by the Secretary of State August 30, 1995.

95-426

UKRAINIAN INDEPENDENCE DAY

Whereas, Illinois has a rich Ukrainian-American population that has preserved the traditions of their homeland and have long hoped for independence for Ukraine; and

Whereas, on August 24, 1991, Ukraine proclaimed independence from the former Soviet Union; and

Whereas, the Ukrainian people voted for this independence in a democratic forum and came to vote in such high numbers that it was noted worldwide; and

Whereas, free Americans of every background are happy that Ukraine joined the family of nations that have democracy and pluralism as its operating principals; and

Whereas, the Chicago Committee for the Commemoration of Ukraine's Fourth Anniversary Independence will have a special celebration on August 27, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 24, 1995, as UKRAINIAN INDEPENDENCE DAY in Illinois.

Issued by the Governor August 25, 1995.

Filed by the Secretary of State August 30, 1995.

95-427

ADULT IMMUNIZATION AWARENESS WEEK

Whereas, influenza and pneumococcal pneumonia are responsible for tens of thousands of deaths among American adults, especially older Americans; and

Whereas, too few adults are immunized against three diseases, as well as other highly infectious diseases, including hepatitis B, measles, mumps, and rubella; and

Whereas, fewer than half of Americans over the age 60 are protected against tetanus and diphtheria; and

Whereas, the lives of many American adults could be spared this year simply by being immunized with vaccines that are approved as safe and effective and are readily available to the public; and

Whereas, the US Public Health Service has repeatedly called on this Nation

to reduce the massive costs of health care against infectious diseases:

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 22-28, 1995, as ADULT IMMUNIZATION AWARENESS WEEK in Illinois and urge all citizens to obtain needed immunizations and to maintain records on their personal immunization status.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-428

ANNE MARGARET ALEXANDER DAY

Whereas, Anne Margaret Alexander began working for the State of Illinois on September 1, 1945, in the office of the Secretary of State, Index Division; and

Whereas, four years later, she joined the staff of Governor Adlai Stevenson and served as secretary to James Mulray, executive assistant to Lawrence Irvin and administrative assistant to Governor Stevenson; and

Whereas, since 1970, Anne Margaret Alexander has worked for the Illinois Environmental Protection Agency and has worked as secretary to division managers such as Otto Halden, John Anderson, Ira Markwood and currently, to Roger Seiburg; and

Whereas, Anne Margaret Alexander has worked diligently during the past 50 years and has been an exemplary employee, always taking time to help the public and her coworkers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 1, 1995, as ANNE MARGARET ALEXANDER DAY in Illinois in honor of her 50 years of dedicated work as a state employee.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-429

ILLINOIS WHEAT GROWERS ASSOCIATION DAY

Whereas, the Illinois Wheat Growers Association was formed on February 27, 1995; and

Whereas, the association plans to promote marketing alternatives for soft red winter wheat and to improve the efficiency and profitability of wheat production; and

Whereas, the association also has a variety of other objectives, such as promoting research on wheat breeding, production and marketing, increasing grain quality, and developing relationships that will enhance the Illinois wheat industry; and

Whereas, finally, the association will provide educational opportunities on wheat production and marketing and it will provide a liaison concerning government programs and legislative activities;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 29, 1995, as ILLINOIS WHEAT GROWERS ASSOCIATION DAY in Illinois and wish the association much future success.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-430

NATIONAL DEPRESSIVE AND MANIC DEPRESSIVE ASSOCIATION WEEK

Whereas, the National Depressive and Manic Depressive Association (NMDA) will have its ninth annual convention August 25- 27 in Chicago; and

Whereas, the convention theme, "Everyone Needs a Hand to Hold On To," is borrowed from the National DMDA's new educational video featuring Walter Cronkite; and

Whereas, the convention will serve as a forum for sharing ideas about the latest treatment, research, and consumer awareness. In addition, it will provide strategies for living with depressive disorders, increasing self-esteem, and promoting health and wellness; and

Whereas, the event will be attended by members from across the nation:

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 25-September 1, 1995, as NATIONAL DEPRESSIVE AND MANIC DEPRESSIVE ASSOCIATION WEEK in Illinois.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-431

SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF MEDICINE MONTH

Whereas, 25 years ago, the State of Illinois established Southern Illinois University School of Medicine "to assist the people of central and southern Illinois in meeting present and future health care needs," and as of this May has graduated more than 1,200 physicians, some 800 residents, and 130 fellows; and

Whereas, SIU has been named for the third consecutive years as a national leader in the percentage of its graduates who enter primary care practice in rankings compiled by the Association of American Medical Colleges; and

Whereas, SIU faculty are conducting research into some of medicine's most challenging problems including Alzheimer disease, cancer, cardiovascular disease, diabetes, hearing and vision disorders, epilepsy and Parkinson disease, reproductive biology, and fertility; and

Whereas, Illinois citizens benefit from the active involvement of the school's physician faculty in clinical research trials that test new drugs and treatment techniques, making state-of-the-art therapies available in advance of the rest of the nation; and

Whereas, SIU physicians and surgeons treat more than 80,000 patients each year, resulting in more than 250,000 patient visits for primary and specialty care in more than 35 counties throughout central and southern Illinois; and

Whereas, SIU has embarked upon an ambitious plan through the Rural Health Initiative to improve obstetrical and primary care services in the region by working with physicians, hospitals, and health care agencies to assess area health care needs and develop new programs to meet those needs;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 1995 as SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF MEDICINE MONTH in Illinois in recognition of and in appreciation for its first 25 years and in anticipation of its continued contributions to the people of the State of Illinois.

Issued by the Governor August 29, 1995.

Filed by the Secretary of State August 30, 1995.

95-432

UNITY MONTH

Whereas, the fabric of our society is made stronger through good relations between people of different races and ethnic groups; and

Whereas, the City of Chicago has many groups and organizations working to bring people together through work, play, education, prayer, and civic activities; and

Whereas, the Chicago Commission on Human Relations and the Human Relations Foundation (a supporting organization of the Chicago Community Trust), in coordination with other organizations throughout the city, will celebrate Unity Month during September 1995; and

Whereas, civic, religious, and corporate leaders, as well as many others, will join in support of unity, peace, and justice at various events to be held throughout the month;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 1995 as UNITY MONTH in Illinois in recognition of the significant role human relations plays in the future of our nation.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-433

URUGUAY DAY

Whereas, August 25th is the 170th anniversary of the independence of Uruguay, a nation whose goals and objectives of freedom and democracy for its people are similar to those of the United States; and

Whereas, these two countries also share a long history of commercial ties, including Uruguay's invaluable assistance to the City of Chicago after its devastating fire in 1871; and

Whereas, as a trading partner with this country, Uruguay encourages the development of its resources, the enhancement of its agri-business, and the expansion of its industry to our mutual benefit;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 25, 1995, as URUGUAY DAY in Illinois in celebration of this significant date in its history.

Issued by the Governor August 28, 1995.

Filed by the Secretary of State August 30, 1995.

95-434

SNUG HUGS FOR KIDS DAYS

Whereas, Snug Hugs for Kids is an annual event designed to help underprivileged children obtain much-needed winter clothing and outerwear; and

Whereas, this effort has donated as much as 15,000 pounds of new coats, gloves, mittens, hats, scarves, and boots to these children through the Children's Home and Aid Society of Illinois, which serves more than 40,000 families in the Chicagoland area; and

Whereas, the Society provides adoption, foster care, day care, residential treatment, child and family counseling, research, and professional training

programs in the Chicago area and four regions throughout Illinois; and

Whereas, Snug Hugs for Kids challenges employees and volunteers as well as community leaders to participate in this cause, thereby furthering the efforts to help those in need within our own communities; and

Whereas, drop boxes will be located at different locations throughout the Chicago area from November 1-December 13, 1995, in order for people to donate clothing;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1-December 13, 1995, as SNUG HUGS FOR KIDS DAYS in Illinois.

Issued by the Governor August 29, 1995.

Filed by the Secretary of State September 8, 1995.

95-435

DISTRICT 54 TOASTMASTERS DAYS

Whereas, the first Toastmasters Club was started in October 1924 by Illinois native Ralph Smedley; and

Whereas, members of the Toastmasters Clubs practice communication and leadership skills through public speaking in a club environment; and

Whereas, members that complete club projects benefit by improving speaking skills, self-confidence, and self-esteem; and

Whereas, members of Toastmasters' District 54 will gather for a fall conference Oct. 12-14, 1995, at the Holiday Inn in Joliet; and

Whereas, Ian Edwards, President of Toastmasters International and Distinguished Toastmaster, will attend the conference;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 12-14, 1995, as DISTRICT 54 TOASTMASTERS DAYS in Illinois.

Issued by the Governor August 31, 1995.

Filed by the Secretary of State September 8, 1995.

95-436

NEWPORT TOWNSHIP FIRE DEPARTMENT DAY

Whereas, the Newport Township Fire Department began formal operations in 1945; and

Whereas, during those days, volunteer firefighters answered a variety of barn fires, out-of-control grass and prairie fires, and first aid calls; and

Whereas, today, the Newport Township Fire Department has 40 paid on-call personnel and it responds to more than 500 fire and rescue calls per year; and

Whereas, the department has grown from having one engine to being equipped with two engines, one engine/tanker, one tanker, a squad truck, two brush trucks, two fully-equipped paramedic ambulances, a command vehicle, and a boat; and

Whereas, the department will celebrate 50 years of service to the community with a parade and a celebration on September 9, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 9, 1995, as NEWPORT TOWNSHIP FIRE DEPARTMENT DAY in Illinois in honor of the department and its commendable service to its community.

Issued by the Governor August 31, 1995.

Filed by the Secretary of State September 8, 1995.

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